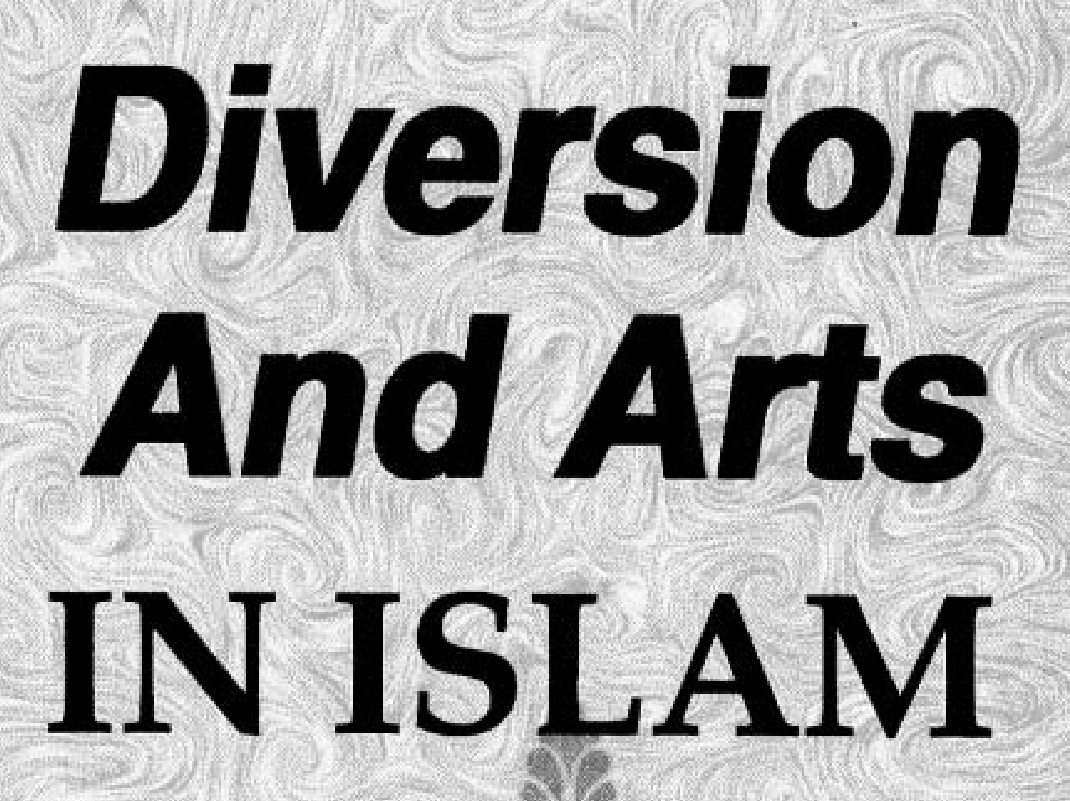
Diversion And Arts IN ISLAM



by

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Translated by
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اللهو والفنون فى الإسلام

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RAWAA AL KHATEAB

Diversion and Arts

The truth has been lost as a result of negligence:

Determining the lawfulness or unlawfulness of diversion and arts is propably one of the most controversial issues having direct impact on Muslim society. Many people commit the error of excessive indulgence or negligent ignorance of them. The fact that they appeal to the emotions rather than the intellect makes them vulnerable to narrow-minded bigotry.

Accordingly, some people are of the opinion that Muslim society should consecrate solely on the service and worship of Allah and hard work . There is no room for diversion or mirth. Singing is totally alien to such a society which forbids self-expression.

Some hardliners contribute to such falsehoods. Their faces always have a solemn, melancholic and ominous expressions. They ascribed their stern and melancholic attitude to religion. In fact, they should realize that their deficient knowledge of religion and personal preferences for certain texts of Qur'an and Sunnah are the root of their problem.

Religion allows them to impose such restrictions on themselves, providing that they are convinced of them. However, it forbids that they propagate their extreme ideas on a large scale forcing them on society. They creat a serious threat by imposing their personal interpretations of issues which have direct impact on people's life and society.

Others flagrantly chose a licentious way of life. Their life is a fair for fun and games. In their opinion, the distinct limits between the lawful (Halaal) and unlawful (Haram) are non-existent. They do not distinguish between that which is obligatory and that which is forbidden. They are completely deluded into believing that they are propagating arts or entertainment, but in reality they are propagating licentiousness and immorality. They commit and propagate great evil sins openly or in secret, cleverly using arts and entertainment as a camouflage. They seem to have forgotton that content is much more important than form. Things maybe recognized by their appearance or name but they can only be appreciated for their value and benefit.

Avoiding the two extremes, I have chosen to follow a middlė course. I have exerted my utmost effort to reach a just and unbiased conclusion. My argument depends on sound and authentic texts and is guided by the torch of Shariíah and Fiqh.

For a more detailed analysis of this issue, the reader can refer to '**The Lawful And Unlawful In Islam,** the first and the second parts of '**Contemporary Futwas**' (particularly the second one), and the remainder of my book in which I addressed this problem.

Islam and sense of reality:

The Islamic approach to life is realistic one. It urges man to fulfil the needs of his body, soul, intellect and emotions in moderation. Thus, he deservedly acquires the traits of the true servants of God the Most Gracious:

"Who when they spend, are not extravagant nor niggardly, but find a middle way between". (Sura 25:67)

This middle course becomes a way of life. It reflects a moral code not only in financial matters but in all aspects of life.

It is agreed that sports keep the body fit, worship purifies the soul and fulfils its needs, knowledge develops the intellect and art is a source of emotional fulfilment.

Art refers to the creative and imaginative form which can elevate the mind and emotions of man to new heights.

Qur'an and the aesthetic and utilitarian elements in the universe:

In several instances the Qur'an emphasizes the fact that aesthetic sense and appreciation of beauty are the essence of art. Aesthetic and utilitarian elements exist side by side in everything Allah has created. Allah allows the enjoyment of beauty and all things which can be of benefit to man. Allah urges man to be thankful for His blessing. For instance, the cattle about which He says:

"God created cattle for you (you find) in them warmth, benefit and from them you eat" (Sura 16:5)

Allah stresses their use and practical service to man. He then stresses the aesthetic fulfilment they can bring to man's life:

"And in them there is beauty for you when you bring them home and when you take them to pasture," (Sura 16:6)

This focus on the aesthetic side, draws attention to the magnificent Divine masterpiece which was not drawn by an artist, but by the Exalted Creator.

Allah, the Exalted, continues:

"God created horses, mules and donkeys for you to ride and for ornament, and He will create what you do not know". (Sura 16:8)

Thus, the action of riding perse is, undoubtedly of a great benefit to man. As for their being an 'ornament', it refers to the aethetic satisfaction man can derive from them. Accordingly, man finds material and spiritual fulfilment for all his needs.

In the same context, Allah puts emphasis on the fact that He conferred a great favour on man when He subjected the sea to him:

"God is the One Who has subjected to you the sea, so that you eat from it fresh flesh, and you extract from it ornaments which you wear". (Sura 16:14)

He does not limit the benefits of the sea to the material elements such as the edible healthy tender meat. He draws attention to the ornaments which man can extract from it and use to make beautiful and comfortable clothing.

The Qur'an orientates man towards the assimilation of aesthetic and utilitarian aspects in different fields of life. Allah draws man's attention to the inherent beauty and benefit which the plants, sown fields, palm trees vineyards, olives and pomegranates, similar in kind but different in variety,

bring forth. In this respect Allah states:

"Eat of their fruits when they bear fruit, and pay due alms from them on the day ofharvest, and do not be excessive",

(Sura 6:141)

After Allah mentioned the gardens of sown fields, palm trees and vineyards, He addresses mankind:

"Look at their fruits when they bear it, and their ripening. Surely in that thereare signs of people who believe".

(Sura 6:99)

Accordingly, man's needs are fulfiled. The ripe fruits provides man with the energy he needs to keep alive. The act of watching the fruits ripen provides man with spiritual contentment. Thus, man receives adequate nutrition, and spiritual distraction. In this respect, Allah, the Most High, states:

"O children of Adam! Adorn yourselves fully at every time of prayer, and eat and drink, but do not be excessive, surely God does not love the excessive. Say, 'Who has forbidden the ornaments of God which He brought forth for His servants, and who has forbidden the good things which He has provided?" (sura 7:31-32)

Making oneself more attractive or beautiful by wearing ornaments makes one feel spiritually fulfiled, whereas eating and drinking adequately satisfy one's physical needs. Both are fundamental to man's life. Allah uses the interrogative pronoun, 'who', to emphasize His rejection of forbidding the

ornaments that He has created for His slaves and the good things, which He has provided for them. The ornaments embody the aesthetic aspect of life which Allah has ordained for His slaves. Another aspect which is in equilibruim with it, is the utilitarian aspect of nutrition which is embodied in various lawful foods. Those ornaments were highly commended by Allah, Who honoured them by the addition of His Name. Right before the preceding two Ayat, Allah, the Most High, comments on clothing:

"O children of Adam! We have sent down on you an undergarment to cover your shameful parts, and an outer garment as a protection and decoration, and the best garment is the garment of piety". (Sura 7:26)

Allah, the Most High, conferred a great favour on man when He enabled him to make the different kinds of clothing mentioned in the previous Ayat (verse). In fact, Allah made the making of such clothing possible, so that it can be used for covering man's sexual organs:

"To cover your shameful parts,"

and for adoration and ornament for protection from the heat and cold:

"the best garment is the garment of piety

The Believer's Susceptibility to Beauty in the Universe:

Whoever pounders on the meaning of the Qur'an will realize that it conveys a message of awareness and of beauty. It addresses the believer's heart and soul and transmits the awareness and appreciation of the beauty which lies in the

components of the universe: Sky, earth, plants, animals and mankind.

To reflection the magnificent beauty of the sky, one should read Allah's words:

"Do they not look at the sky above them, how We have built it, and adorned it, and there are no rifts in it?"

(Sura 50:6)

"And We have arranged the heavens into constellation and graced them with beauty for the on lookers," (Sura 15:16)

"And sent down water from the sky, and caused to grow therewith beautiful gardens whose trees you could never grow?" (Sura 27:60)

To appreciate the beauty of animals, one should read:

"And in them there is beauty for you when you bring them home and when you take them to pasture". (Sura 16:6)

Allah's Grace is also evident to man in the beauty of the creation of man:

"He shaped you, and He shaped you well" (Sura 64:3)

and:

"God is the One Who created you, thenfashioned you harmoniously and in due proportion. Into whatsoever form He pleases He made you out of components". (Sura 82: 7-8)

Man is witness to Allah's absolute creativity in everything He has created in the magnificent universe. Man bears witness to:

"This is the creation of God Who has perfected all things"

(Sura 27:88)

Man is fully aware that:

"God is the One Who created all things in the best organisational plan" (Sura 32:7)

A believer grows to love the manifestations of the beauty of Allah, the Almighty, all over the universe. He develops a love for beauty because 'the beauty' is one of His most magnificent names and perfect qualities. The love for beauty is stimulated by Allah's love for it. Allah is Beautiful and He loves beauty.

Allah is Beautiful and He loves beauty:

When some of the companions mistakenly believed that love for beauty runs counter to belief for it leads man astray and drags him into abominable arrogance. The Prophet (P.B.U.H.) enlightened them as to the subtle difference between them. He said in a sound hadith reported by Ibn Masíud:

"Whoever has the weight of a grain of a mustard seed of arrogance in his heart, will not be admitted to Paradise". Then a man said: 'All people like to wear attractive clothes and shoes' The Prophet said:

"Allah is Beautiful and He loves beauty but arrogance is different. It means to deny the truth although one is certain that it is so, and to be thankless for the people who were helpful to one".

The Qur'an - the aesthetic miracle:

Definitely, the Glorious Qur'an is the greatest sign which Islam brought forth. It is the greatest miracle conveyed by the Prophet. It is both an aesthetic and intellectual miracle. Besides the fact that the Arabs were famous for their mastery of rhetoric. They stood helpless before the unrivalled rhetoric, versification, style, rhyme and rhythm of Qur'an, to such an extent that they suspected it was written by power of magic.

The rhetorical or aesthetic miracle of Qur'an is a topic that has stimulated the interest of the professors of rhetoric and Arabic through out the years, starting with Adel Kahr, Arrafeíae, Sayd Kotob, and ending with the writings of Bent Ash-Shatea and other contemporary scholars.

The charismatic power of the Qur'an comes into play when the beauty of rhetoric and rhyme intermingles with the beauty of distinct recitation. Hence Allahís, the Most High, words:

"And recite the Qur'an with distinct recitation".

(Sura 73:4)

It is reported that the Prophet (P.B.U.H.) said:

"A person who is skillful in reciting and memorizing the Qur'an will be with the honourable pious and just scribes (in Heaven). Adorn the Qur'an by reciting it with your nice voices".

He also said, in a hadith narrated by Abu Hrayrah:

"The attractive audible sweet sounding voice adds to the beauty of the Qur'an"

In another hadith narrated by Abn Salama, he (P.B.U.H.) said:

"Whoever does not recite Qur'an in a nice voice is not from us"

I should point out though that the recitation of Qur'an in an attractive audible nice voice does not mean tampering or perverting its words from their meaning. It is reported that the Prophet (P.B.U.H.) said to Abu Musa:

"O Abu Musa! You have been given one of the musical wind-instruments[(1)] of the family of David Abu Musa said: If I knew that you will like my recitation so much, I would have tried my best to improve and perfect it".

Abu Hurayrah narrated that he heard the Prophet (P.B.U.H.) says:

"Allah does not listen to anything as He listens to the recitation of the Qur'an by a Prophet who recites it in attractive audible sweet sounding voice".

Shekh Mohammad Abdullah Draz, who was also a doctor, once told us that when he was a member of the

Higher Broadcast Council, his colleagues wanted to restrict the time for recitation of the Qur'an to the opening closing and few other items. He protested saying:

The action of listening to the Qur'an per se, is not the only religious obligation towards it. We should not only listen to the Qurían, we should also capture the essence of its kaleidoscopic charisma which the attractive audible sweet

(1) The musical instrument stands here for nice voice.

sounding voice conjures up".

This is quite true for the Qur'an encompasses religion, knowledge, literature and art. It fulfils man's spiritual, intellectual and emotional needs. Furthermore, it helps him preserve his integrity and improve his pronunciation and articulation.

Expression Of Beauty:

Islam boosts the awareness, appreciation and expression of beauty. It motivates the Muslim to develop an aesthetically orientated sense. It permits him to translate his aesthetic feelings into beautiful works of art.

Poetry And Literature:

Poetry, prose, maqama(1), story, epic and literature are works of art created for aesthetic stimulus. The Prophet (P.B.U.H.) listened to poetry and appreciated it. For instance, he listened to the famous poem 'Banat Soaad' recited by the poet Kaa'b Ibn Zohyr. Even though, it is classified as love poetry. He also listened to a poem by Annabegha Al-Gaadi, and he even supplicated Allah for him. He used poetry as a mean to invite people to Allah's way. He also used poetry to defend Da'wa as he guided, Hassan,(2) the poet of Islam, to do. He even quoted lines of poetry when he commented on a line of poetry said by Labid saying: "The most true words said by a poet were the words of Labid. He says i.e. "Verily, everything except Allah is perishable" His companions followed in his footsteps and used quotations of poetry to

(1) A genre of Arabic rhythmic prose.

(2) The poet laureate of Islam.

interpret the Qur'an. Some of them, for example, Ali Ibn Abi Taleb, even composed creative poetry. A considerable number of the companions were in fact talented poets. Many of the great Imams such as Imam Abdullah Ibn Al Mubark and Mohammad Ibn Edreas Asshafae and others were also gifted with poetry. It was reported that the Prophet (P.B.U.H.) said: "Some poetry contains wisdom. Some eloquent speeches have the influence of magic.

The hadith implies that the majority of poetry does not contain wisdom. In fact, it propogates folly. Flattery, vainglorious, satiric and erotic poetry are ignominous and immoral genres. Accordingly, the Qur'an censured the unscrupulous presumptuous poets whose actions are contrary to their statements:

"And the poets, only the erring people A genre of Arabic rhythmic prose. follow them, Do you not see how they wander in every way? And how they say that which they do not practice? Except those who believe and do deeds of righteousness, and remember God frequently, and defend themselves after being oppressed; and those who do wrong shall soon come to know what punishment awaits them".

(Sura 26:224-227)

Discipline and message are the bases of art, literature and poetry. Any work of art should convey a message. We can alter, develop, adapt or imitate other forms but we should not let the content go astray. The Arabs of old innovated poetry forms - genres - such as Al- Mowashahaat[1] and others, therefore, it is permitted to introduce new genres to

(1) The poet classical form of Arab poetry arranged in stanzas.

contemporary poetry, i.e. free verse - free from Metre.

In the Islamic ages, the Arabs introduced new literary genres such as Al Maqama and fiction as in (**The Message of Forgiveness**) and (**A Thousand And One Nights**). They translated (Kalealah Wa Demna). Their successors introduced epics celebrating the stories of Antara and Bani Helaal. Nowadays, we are free to innovate, adopt or imitate literary genres: Plays, novels and short stories.

I must stress the necessity of adhering to the rules of classical Arabic. We should shun any insidious attempt at propagating colloquial Arabic and its different accents at the expense of the sovereignty of classical Arabic. Those malicious attempts at alienating the Arabs from Arabic hence, the Qur'an and Sunnah, and dismantling the solidarity of the Arab region, must be aborted. The disintegration of the Arab region is the main concern of anti-Islamic and anti-Arab forces. We can seek refuge in the simplified version of classical Arabic broadcasted on radio and television and written in newspapers which is understood by the masses.

The only common ground which brings Arabs and Muslims worldwide close together is the knowledge of classical Arabic. The Muslims all over the world learn classical Arabic as a means for understanding Islam and communicating with other Muslims.

I was often asked whether the Islamic literary genres, such as play and story, are lawful or unlawful, taking into account that the novelist or playwright creates characters and puts words into their mouths in a makebelief imitation of reality.

The question which arises is whether this makebelief version of reality comes under unlawful lie or not.

I am of the opinion that it does not come under unlawful lie simply because the recepient is fully aware that what he hears or sees is downright fiction, not reality. It resembles the stories of old which were narrated by birds or animals. It comes under the arstistic recreation of reality. The characters are merely puppets which the author pulls the strings of, moves about and puts appropriate words into their mouths.

We have a vivid instance of the supernatural in the Qur'an, when the ant and hoopoe actually talk to Solomon, peace be upon him. Needless to say, they did not use plain Arabic language. The Qur'an turned their thoughts, under such circumstances, into words.

I should refer to my private experience in play writing in which I wrote two plays. The first one was written at the beginning of my literary career, when I was in the first year of high school. It is classified as dramatic poetry with the truthful Yusuf, peace be upon him, as the main theme. The influence of the famous plays of Shawki is quite evident in this premature literary attempt. The second one was a historical play about Saead Ibn Jobayer and Al Hajaj Ibn Yusuf. Its title was (A Scholar And A Tyrant). The performance travelled across the country. Unlike the first play, it was a success for the former dealt with the story of a Prophet. The majority of scholars are of the opinion that the

personification of Prophets is unlawful, Haram.

Audio-aesthetic arts (Singing and music)

We have proved through the texts of the Qur'an and Sunnah that Islam appreciates the aesthetic aspect of life. It shows a lot of interest in developing man's aesthetic sense. It aims at improving his overall taste of beauty. There are different kinds of beauty, such as visual, audio and other kinds connected to human senses. I will tackle the issue of audial beauty, in other words, singing, with or without musical instruments. But first, I must answer the difficult question of the judgement of Islam as to the lawfulness or unlawfulness of singing and music.

The Judgement of Islam on singing and music:

This topic has fueled a lot of controversy and differences. Even the majority of Muslim scholars differed over the lawfulness or unlawfulness of it. Their idiosyncratic judgements placed Muslims in a dilemma. Some of them listened to all kinds of singing and music, claiming that they are part of the lawful things which Allah created for His slaves.

Others took the attitude that singing is the musical instrument of Satan, and turn off the radio or covered their ears on hearing a song. They are of the opinion that songs are vain talk which hinders from the rememberance of God and from prayer. They shun singing as unlawful particularly if the singer is a female. They declare that it is forbidden to hear a female voice, let alone singing. They refer to certain ayat

(verses), hadiths and statements to support their theory.

Some of them reject music altogether, even the piece of music played at the beginning of news bulletins.

Some Muslins are unable to decide on which side to take. They need a decisive verdict by Muslim scholars. Such an issue has become crucial particularly, since audiovisual broadcast has crept homes forcing its virtues and vices. Whether they like it or not, they found themselves attracted to the songs and music it presents.

Eversince the early ages of Islam, the Muslim scholars have been unable to resolve the dispute over the lawfulness or unlawfulness of singing with or without music. They agreed on certain details and disagreed on others. They agreed that obsence, erotic and evil singing are unlawful hence forbidden. They were of the opinion that songs are made of words which can be either good or evil. It is a religious rule that any statement which includes an unlawful, Haraam, word is judged as unlawful. It follows that every song which includes forbidden words is altogether unlawful particularly when rhyme, rhythm and side effects work together to make the evil meanings attractive. They also agreed that songs which do not play on sexual arousal and which are not accompanied by musical instruments are lawful, Halaal, providing that they are not sung by a woman in the presence of men who are strangers to her[1]. We will mention many

(1) Stranger men other than their fathers, brothers, husbands and uncles (from the mothers and fathers side) grand fathers and foobnote father-in-law.

sound texts of the Qur'an and Hadith to that effect. Unfortunately, they were in dispute over almost every thing else. Some of them announced that singing with or without musical instruments is lawful, Halaal, even preferred. Another group prohibited it if it was accompanied by musical instruments, and allowed it if it was not. Others announced that it is unlawful, Haraam, whether with or without music background. They even went so far to declare it as one of the great sins.

It is vitally important that I cast light on the different dimensions to this issue so that the Muslim can determine the lawful,Halaal, and the unlawful, Haraam, guided by authentic texts of the Qur'an and Sunnah. He should not listen or follow the judgements which run counter to these sources. He should be immensely knowledgeable about his religion.

Everything is allowed - with exceptions:

The Muslim scholars are of the opinion that everything is essentially allowed for Allah, the Most High, states:

"God is the One Who created for you all that is on the earth". (Sura 2:29)

The Qur'an, the Prophet's (P.B.U.H.) Sunnah and the consensus of Muslim scholars are the three authentic legitimate sources of forbiddenness. A thing is not forbidden unless there is a text of the Qur'an or Sunnah or consensus of opinion of the Muslim scholars on it. Otherwise, it is included in the vast list of the things which Allah forgives if it was done under the compulsion of necessity even if there is

A Hadith free from ambiguities yet unauthentic - not free from irregularities which fobids it. It is not forbidden even if there is an authentic - Sahih - Hadith which has a contiuous tracing of reporters of trustworthy memory from similar authorities, and free from any irregularities so long as it is not free from obscurities. In this respect, Allah, the Most High, states:

"When He has explained to you that which He has forbidden you, except if you are constrained to it".

(Sura 6:119)

The Prophet (P.B.U.H.) said: "What Allah made permissible in His Book is lawful , Halaal, and what He forbidden is unlawful, Haraam, and what He, deliberately, did not mention is forgiven. You should accept this privilege which Allah bestowed on you for He is never forgetful Then he recited:

"And your Lord is never forgetful" (Sura 19:64)

This hadith was reported by Al Hakem on the authority of Abi Adardaa Al Bazaar authenticated. He also said:

"Allah enjoined certain duties - Fara'id - which you should follow and boundry limits between lawful and unlawful things - Hudud - which you should not violate. There are things which He deliberately did not mention by Mercy from Him, for He is never forgetful. Therefore, do not try to investigate into them any further. Addar Kattani reported it on the authority of Abi Thaalaba Al Khashn. Both Al Hafez Abu BakrAssamaani and Annawawi increased the rank of the

Hadith to the level of hasan - good.

All in all, this is the basis for judging the lawfulness or unlawfulness of things. We will tackle now the proof of the Qur'an and Sunnah which the advocates and opponents of singing cite as a basis for their arguments.

The Opponents' proofs:

Those who forbade singing relied on the judgements of Ibn Masoud, Ibn Abbass and some of the followers to the effect that it is unlawful - Haraam. In their turn, they based their judgements on the Qur'an where Allah states:

"And there are among people some who buy vain talk to lead astray from God's Way without knowledge, and to make mockery of it". (Sura 31:6)

They even interpreted 'vain talk' as singing. Ibn Hazm was of the opinion that this claim is groundless for three reasons: First, there is no evidence whatsoever that the Prophet (P.B.U.H.) forbade singing. Second, their judgements ran counter to those of the other companions and followers. Third, the context of the Ayat on which they based their argument is in direct contradiction to their verdict for Allah states:

"And there are among people some who buy vain talk to lead astray from God's Way without knowledge, and to make mockery of it. For such there is ahumiliating chastisement".

(Sura 31:6)

Here, whoever is stigmatized as one of those people is, by

consensus, a disbeliever so long as he mocks Allah's Way. Ibn Hazem went on: "If a man bought the Qur'an with the intention of misleading men from the path of Allah and taking the verses of the Qur'an by any of mockery he is judged as a disbeliever, Thus, Allah finds the violations of those sinners most reprehensible. Allah, the Almighty, never criticized whoever buys vain talk for diversion and entertainment. Thus, their claim that Allah censured it is refuted. Also whoever, intentionally, neglects his prayers for reading the Qur'an or the Sunnah or for the sake of having a conversation with someone or simply for singing or else is judged as a disobedient deviator. But whoever does not allow anything to distract him from his religious obligations is judged as a good-doer.

They cited Allah's, the Most High, words in praise for the believers as evidence that singing is prohibited:

"And when they hear people speaking nonsense, they avoid it" (Sura 28:55)

In their opinion, singing is meant by 'speaking nonsense', therefore one should shun it. To refute this claim, I should first explain the meaning of 'nonsense'. It refers to insolent remarks and bad language. If we read the Ayat through, we will soon realize that they are to that effect:

"And when they hear people speaking nonsense, they avoid it and say. We haveour own way and you have yours, peace beupon you, we do not seek the company of the ignorant" (Sura 28:55)

It is reminiscent of Allah's the All Merciful description of His slave as:

"And the true servants of God the Most Gracious, are those who walk modestly on the earth, and who when the ignorant address them, they say 'Peace' ". (Sura 25:63)

Even if we assumed that 'nonsense' in the Ayat includes singing, there is no trace of a direct forbiddennes. In fact, there is merely explicit announcement that abstaining from it is preferred, even praised.

The word 'nonsense' has the same connotation of futility as the word 'falsehood'. Listening to useless songs per se is not forbidden providing that the time appointed for this diversion does not encroach upon the time appointed for carrying out a duty or a religious obligation. It was reported that Ibn Gorayg permitted listening to singing. When he was asked whether this diversion is included into one's good or bad deeds on Doom's Day, he answered that it is included in neither for it is simply nonsense, then he recited:

"God will simply charge you for any unintentional oath you make" (Sura 2:225)

Imam Al Ghazali said: 'If Allah does not call one to account for unintentional oath in which one swears by Allah, The Almighty without real determination or intention to fulfil his oath, then, by analogy, He does not call man to account for listening to poetry and dancing. Both actions are simply profitless".

I am of the opinion that singing does not always come

under nonesense. Its usefulness or uselessness depends on the intention of the singer. Good intention turns diversion into approach to Allah. It can intermingle fun with obedience to Allah. Evil intention corrupts good deeds which are done for mere pretence rather than worship of Allah. In this respect, the Prophet (P.B.U.H.) said:

"Allah does not look at your feature and fortune but He does look at your hearts and deeds"

In Al Muhala, the wise Ibn Hazm said in refutation of the opponents of singing: "They protested that singing is either sinnful or not. 'This issue can not stand middle - of - the road judgement for Allah, the Most High, stands:

"And what is there after the Truth but deviation".

(Sura 10:32)

My answer to their narrowmindedness is that the Prophet (P.B.U.H.) said: "The reward of deeds depends upon the intentions and every person will get the reward according to what he has intented".

Accordingly, if someone listened to songs with the intention of disobeying Allah, he is judged as a deviator. By analogy, the same judgement applies to any activity done under the same intention. One may listened to songs with the innocent intention of diversion and refreshment so that he can be charged with the spiritual strength necessary for obedience to Allah, the Almighty. If his activity aims at rekindling enthusiasm for good-doing then he is judged as obedient good-doer, Muhsin. If one has neither intentions of obedience

or disobedience at heart, the activity of singing or listening to songs is judged as nonesense which Allah forgives. Similarly, Allah does not call man to account for such actions as walking to his garden, sitting at his doorsteps, dying his garment bright blue green and such neutral actions.

They cited the Prophet's (P.B.U.H.) hadith:

"Every diversian is falsehood except for three: Man's flirting with his wife, training his horse and practising archery".

They claim that this Hadith which was authenticated by the reporters of the five famous collections of Hadith[1] , is evidence to the exclusion of singing from the three permitted diversions. I should draw the reader's attention that this hadith is called Shaky - mudtarib. If the reporters disagree about a particular Shaikh or about some points in the isnad or the text, in such a way that none of the opinions can be preferred over the others, then the hadith is ranked as Shaky.

The advocates of the lawfulness of singing and listening to songs disparage the Hadith as weak, Da'if, because it fails to reach the status of good, hasan. Even if it were sound, there is still no evidence whatsoever that 'falsehood' " refers to unlawfulness rather than uselessness, which is the case here. Abi Adardaa said: "I devote some of my time to recreational activities which charge me with enough energy, strength and impetus necessary for my battle for the sovereignty of truth".

Needless to say, we cannot restrict the lawful recreational activities to the three ones mentioned in the previous hadith

(1) Al Bukhari, Muslim, Abu Dawoud and Al Tirmidhi.

simply because watching the Ethiopians dance inside the Prophet's Mosque was not forbidden by the Prophet. This incident was reported in the Sahih Hadith not withstanding the fact that recreational activity was not among those warranted in the above mentioned hadith. Undoubtedly, looking at the gardens, listening to the birds and such diversions are not prohibited though they might be ranked as false.

The opponents cite the hadith mentioned in Sahih Al Bukhari as evidence to the unlawfulness of singing. I should stress that this hadith which was reported by either Abi Malek or Abi Amer Al Ashaari is ranked as hanging - Mu'allaq - for the reporter is not certain of the isnad and he quotes the Prophet (P.B.U.H.) directly: 'There will be people of my nation who will consider adultery silk, intoxicants and Al Maazef lawful.

Although this hadith is narrated in Sahih Al Bukhari, still it is ranked as hanging - Mu'allaq - because the link between the reporters is missing at the beginning unlike the case with a continuous isnad - Muttasil - where the link is apparent. The fact that it is Mu'allaq exposes its isnad to idtrib - being Shaky. Accordingly, Ibn Hazm abandoned it. Al Hafez Ibn Hejr exerted effort to turn it into an ordinary Muttasil hadith with uninterrupted isnad. To accomplish this, he resorted to nine methods. Although the principal reporter is the celebrated scholar religious figure and orator of Damascus who was authenticated by both Ibn Maean and Al Agali, still Abu Dawoud commented that he reported four hundreds

baseless Hadith. Abu Hattem and ibn Sayyar described him as a truthful person who changed for the worse to such extent that he believed and reported everything he was told. Imam Ahmed criticized him as impetuous and credulous man. Annesaea accepted his reporting but this is not enough to make him a reliable source. Al Hafez Azzahabi's defence of him as a truthful man who reported a great number of Hadith is defused by his admission that some of the Hadiths which he reported are denounced - Munkar because the narrations go against other authentic Hadiths. The traditionists denounced his materialistic bent of mind which made him report Hadiths only if he was paid! Such a man should definitly not be entrusted with reporting Hadiths which deal with crilical and decisive issue of public interest. Another controversial point is the meaning of Al Maazef which either refers to musical instruments or fairs, and is thus vague.

If we look for granted that Al Maazef means the commonly used musical instruments then the hanging - Mu'allaq Hadith of in Sahih Al Bukhari does not contain clear - cut words of prohibiting them. Ibn Al Arabi commented that to consider something lawful has two interpretations: First, to think that they are lawful. Second, to be preoccupied and infatuated with such things. If one chooses the immediate interpretation of the words, it is judged as an expression of disbelief for one, willingly turns the established unlawful to lawful such as intoxicants and adultery. There is unanimily that this attitude is enough to stigmatize one as a disbeliever.

If we take for granted that it has prohibitive connotations, the question arises, is this forbiddenness valid for the list as a whole or for the individual items? Most probably it is applicable to these forbidden things in congregation. The Hadith laments the moral deterioration of a group of people who indulged in luxury and and vice. They immerse themselves totally in licentiousness and adultery. They were infatuated with intoxicants, women, diversion and silk. Ibn Maja narrated a hadith which Abi Malek Al Ashare reported saying:

"Some people of my nation will drink intoxicants and call it other names. They will surround themselves with music and singers. Eventually, Allah will destroy them and turn them into monkerys and pigs".

Both Ibn Habaan and Al Bukhari narrated this hadith.

The wording of other reporters besides Hesham Ibn Amaar, explicitly forbade and warned against the aftermath of intoxicants. The prohibition of Al Maazef assumed a secondary importance.

To prove their opinion, they quoted the hadith reported by Aisha:

"Allah, the Most High forbids buying and selling girl singers. The money taken from selling girl singers is unlawful, Haraam. Also teaching them the art of singing and entertainment is unlawful, Haraam".

Here, I should highlight three points: First, the hadith in question is weak,

Da'if. In other words, it along with the rest of the Hadiths which forbade selling girl singers, suffers discontinuity in the isnad or the unreliable narration of a disparaged reporter. Second, Al Ghazali said that a singer girl is a slave. She is a girl who is well-trained and talented in singing for men in places where alcoholic drinks may be bought and drunk - bars. It is unlawful for a woman to sing to stangers[1] especially if they are dissolute or vulnerable to seduction. This Hadith does not imply that it is unlawful, Haraam that a girl singer should sing to her master. She can sing to people other than her master if her singing does not expose them to seduction or sexual arousal. For evidence, the reader should read the sound hadith narrated in the two Sahihs which report that two female singers were singing songs at Aishaís -may Allah be pleased with her- house.

Third, those female singers were, at that time, part of the firmly established and recognized slavery system. Later, Islam embarked on the precarious mission of draining slavery away. The wisdom of Islam could not possibly allow class distinction to erode the fibres of the Muslim Society. The undercurrent of resertment towards the injustices done against the slaves class grew into a sweeping public demand. The firmly established and widely recognized slavery system was finally abolished by Islam. The Hadith which forbids buying and selling female singer aimed at uprooting the seemingly invincible slavery system.

They built their theory of the unlawfulness of singing on

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(1) Men other than her husband, father, brother, son and father-in-law.

the narration of Nafea that when Ibn Omar heard a shephard play music on his pipe. He put his fingers into his ears and pulled his horse away from the road. He kept asking Nafea if he could hear the music, when he nodded he proceeaed away from the main road hear only when Nafea told him that he could not hear the music anymore, lowered his hands and proceeded on the main road.

He then said that he saw the Prophet (P.B.U.H.) doing the same thing, on hearing music played by the shephard. Ahmad, Abu Dawoud and Ibn Maja narrated this hadith. Abu Dawoud described it as denounced - Munkar - because its narration goes against another authentic Hadith. In addition, it is reported by a weak narrator. Even if it were sound hadith, it would be evidence against those who called for the unlawfulness of singing. If listening to the music played on the pipe were forbidden, the Prophet would not have allowed Ibn Omar to hear it. If Ibn Omar, in his turn, judged listening to music as unlawful, Haraam, he would not have allowed Nafea to hear it and he would have put an end to this evil doing. The Hadith offers evidence that listening to music is lawful, Halaal, simply because the Prophet (P.B.U.H.) did not forbid it in clear - cut words. He simply avoided it just as he consistently shuuned most of the allowed things in life such as eating while reclining and having a Dinar or Dirham in his house ..etc.

They cited other evidence such as the unreliable narration that the Prophet (P.B.U.H.) said:

"Singing implants hypocrisy in one's heart"

There is no evidence whatsoever that he said it. In fact, it was proved that it was said by some of the companions or followers. It is the opinion of a human bring, hence the vulnerability to error of judgement and disagreement. Some people, Sufists in particular, said that singing makes one kind-hearted. It charges one with bitter remorse and sadness for committing sins. It increases one's longing to meet Allah, the Most High. Therefore, they chose music as the means for recreation and accomplishment. They added that one can not realize the extent of this spiritual and emotional reconciliation unless he goes through the same experience. Imam Al Ghazali was of the opinion that singing is the source of hypocricy of the singer rather than the listener. If the singer aims at showing off his talent and tries to gain their approval and admiration for his singing through hypocrisy and dishonesty, he becomes an avowed hypocrite. Imam Ghazali did not forbid singing as unlawful notwithstandingly. He included singing in the list of the allowed recreational activities.e.g. wearing fancy clothes, riding choicest horses, using ornaments and boasting about crops, cattle and plants.

All the previous activities are the seeds of hypocrisy sowed into one's heart. He did not denounce these activities as forbidden. Contrary to the widespread belief that the encroachment of hypocrisy on one's heart is due to committing sins. The main cause for the loss of one's heart to hypocrisy is the excessive indulgence into the allowed things in life.

They protested that it is a common konwledge that woman's voice is forbidden, hence the unlawfulness of the singing of woman in particular. To refute this claim, I should stress that they have no evidence from Allah's Book or the Prophet's Sunnah to support their argument. In fact, women used to ask the Prophet (P.B.U.H.) questions in the presence of his companions. Also, the companions themselves used to seek the Futwas of the Mothers of believers(1). They went to their houses, asked and talked to them. No one at that time claimed that Aisha and the rest of the Mothers of believers committed a sin by letting others hear their forbidden voices. I should remind the reader that Allah imposed extra obligations and restrictions exclusive to the Prophet's wives.

In this respect Allah, Most High, states:

"Speak honourable words". (Sura 33:32)

Some might protest that speaking 'honourable words' refers to discipline and committment in conversation with others to the moral code of Islam. They are of the opinion that singing is not included under these honourable words. Their claim is groundless for it was narrated in the two Sahihs[1] that the Prophet (P.B.U.H.) heard two slave girls singing and did not scold them on the basis of its being forbidden. He even asked Abu Bakr to let them continue singing. Abu Jaafar, and many of the companions and followers used to listen to the slave girls' singing.

They cited a hadith in which the Prophet (P.B.U.H.) said:

"If my nation did the following fifteen evil deeds, terrible

(1) Sahih Muslim and Sahih Al-Bukhari.

afflictions will strike them." He mentioned the infatuation with girl singers and musical instruments as one of those devastating deeds.

This hadith was reported by Al-Tirmidhi on the authority of Ali, it is elevated - Marfu', in other words it is a narration from the Prophet. However, I should stress here that this hadith lacks evidence therefore it is judged, by consensus, as weak - Da'if.

To sum up, the hadiths which those who sided with the forbiddenness of singing and music cited were either authentic - Sahih not withstanding their obscurity or unauthentic - Ghayru Sahih not withstanding their clear - cut wording and meaning. None of the elevated Marfu' - hadithes offer valid evidence for the forbiddenness of singing and music. A group of Zahirite, Malikite, Hanbalite and Shafite schools passed the verdict that these hadiths failed to reach the status of Hasan, therefore their final verdict on them was that they are weak - Da'if. Judge Abu Bakr Ibn Al Arabi said in " The Judgements" - "Al Ahkam" - that there is no authentic hadith which declares the forbiddenness of singing and music. Al Ghazali and Ibn Annahwi in his " Al Omda" supported his opinion. In his "Assamaa", Ibn Taher declared that there was no evidence from the Sunnah which proves their forbiddenness. Ibn Hazm, in his turn, stated that there was no authentic hadith to back this claim. He added that all the hadiths on which those who rejected singing based their claim are fabricated Maudu'. It means that their text ran against the established norms of the Prophet's sayings or their

reporters included a liar. He swore by Allah that if they, or at least one of them, had continuous isnad made up of reporters of trustworthy memory from similar authorities, and were free from any irregularities and defects and if they were narration from the Prophet (P.B.U.H.), he would not hesitate for one moment to declare their authenticity and validity.

The advocates' evidence for the lawfulness of singing:

We have refuted the opponents false claims and defused their evidence one by one. There is no denying that if all evidence for forbiddenness were invalid, singing would assume the status of allowed - Mubah. Since we refuted all anti-singing claims, we are allowed access to the authentic clear-cut texts, and comprehensive laws of Islam.

First: The texts

Those pro-singing cited a number of authentic hadiths such as the one which narrated that while the Prophet (P.B.U.H.) was with A'isha, there were two female singers with her, singing songs of the Ansar about the day of Bu'ath. When Abu Bakr said twice " Musical instruments of Satan!" and scolded them for singing at the Prophet's house, the Prophet asked him to leave them so that the Jews would learn that the Muslims are at liberty regarding their religion and that he was sent with tolerance[1] Hanifeya. The fact that Abu Bakr vented such anger against the act of singing proves that the female singers were not youngesters as some claimed, otherwise, he would not have, undeservedly, directed such passions against them.

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(1) To worship Allah Alone and not to worship anything else along with Him.

I should stress here that the Prophet's immediate response to Abu Bakr's - may Allah be pleased with him - negative attitude, reflects the fundamental necessity for ameliorating the image of Islam and high lights its easiness and tolerance.

Al Bukhari and Ahmad reported on the authority of A'isha that she prepared a lady for a man from the Ansar as his bride and the Prophet said: " O A'isha! Haven't you got any amusement (during the marriage cermony) as the Ansar like amusement?"

Ibn Maja reported on the authority of Ibn Abbass that 'A'isha prepared one of her relatives for a man from the Ansar as his bride, when the Prophet (P.B.U.H.) came home, he asked her: " Did you give the bride a wedding gift?" She said: " Yes" Then he asked " Have you sent female singers to sing for her? " She answered " No" The Prophet said: " The Ansar are known for their fondness for courting women. You should have sent female singers along with her to sing her a song: We are here especially for you Greet us so that we can greet you.

This hadith reflects the importance of knowledge of other people's conventions and idiosyncrasies.

Both Annesae and Al Hakem reported and authenticated a hadith narrated on the authority of 'Amer Ibn Saad that one day he went to a wedding and met Korza Ibn Kaab and Abi Masoud Al Ansaari who were listening to the singing of female singers. He exclaimed disapprovingly: " How could you, the Companions of Allah's Apostle and the people of Badr allow such violations in your house?" They solemnly

answered: " You are free to stay and listen to it or leave for Allah gave us permission to amusement at weddings."

Ibn Hazm reported on the authority of Ibn Serean that a man arrived at Al Madina to sell slave girls. He came to Ibn Jaafer and offered them to him ordering one of them to sing him a song. That she did while Ibn Omar listened. After bargaining, Ibn Jaafer bought her. Then the man approached Ibn Omar and said: " O Aba Abdel Rahman, it is an unjust bargain, he should have paid me seven hundred Dirhams more." Ibn Omar addressed Abdellah Ibn Jaafer: " He feels that you were unjust to him in buying this slave girl for seven hundred Dirhams less. You should either pay him this sum or return the slave girl to him." He said: " I will give him the sum."

In illustration, Ibn Hazm said that it is quite clear that Ibn Omar heard the slave girl singing and did not object to it. He even helped in selling her. This hadith has a continuous isnad. It is definitely not fabricated-Maudu.They cited Allah's, the Most High, words to prove their theory:

" But when they see merchandise or diversion, they run after it, and leave you standing. Say that which is with God is better than diversion and merchandise, and God is the Best of Providers." (62:11)

Allah associated diversion with merchandise which is unquestionably lawful-Halaal. He deprecates the diversion and merchandise which takes one's attention away from his religious obligations. Here he refers to a particular incident

when the arrival of the caravan and the music played on the tambourine, distracted the Companions' attention from listening to the Prophet's (P.B.U.H.) speech to such extent that they left him standing there and went to join the excitement. They cited further evidence of the lawfulness of music and singing quoting the saying of a number of the Companions - may Allah be pleased with them - that they either listened to music and singing approvingly or approved of such act. Needless to say the Companions are the pious elite whom we should follow into their footsteps for guidance and salutation. For further support of their belief, they quoted the reports of many people witnessing to the consensus of opinion on that issue.

Second: Islam - spirit and laws.

Singing is simply one of the good and pure things which appeals to man. He takes great pleasure in listening to them. He finds spiritual and intellectual fulfillment with their tunes. Just as tasty food gives pleasure to the stomach, creative music gives pleasure to the ears. Similarly, picturesque settings give pleasure to the eyes and sweet smell gives pleasure to the nose. This raises the question of whether all the good and tremendously enjoyable things of life are lawful or unlawful!

It is common knowledge that Allah, the Most High, made unlawful to the Jews certain good things which have been lawful to them as a punishment for their evil-doing. In this respect, Allah, the Most High, said:

" Because of the sinfulness of the Jews, We have

forbidden to them certain good things that were permitted to them, and for their hindering many from God's Way- And for their taking usury though they were forbidden, and that they devoured people's wealth in falsehood, and We have prepared for the unbelievers among them a grievous chastisement." (4:160-161)

The crux of the mission of Muhammad (P.B.U.H.) was announced in the Scriptures - the Torah and the Injeel - of the previous Messengers, for Allah, the Most High, states:

" He enjoins on them what is good and forbids them what is evil, and he makes the pure things lawful to them, and

forbids them from the impure, he relieves them from their burdens, and free from the fetters which were upon them"

(7:157)

Thus, all good things in which man finds spiritual, physical, emotional or intellectual fulfillment, are lawful. It is Allah's Mercy making them thus to guarantee the universality and immortality of the Muslim Nation. Allah, the Most High, states:

"They ask you what is permitted for them, say, " Permitted to you is all that is good and pure" (5:4)

Allah is the Only authority entitled to determine the lawfulness or unlawfulness of things. He does not allow anyone to assume His power and forbid himself or others from the good things which He has bestowed. Good intentions piety, or sincerity do not excuse transgression on Allah's Sovereignty. Passing the verdict of lawfulness or

unlawfulness is the absolute right of Allah alone. None of His slaves has the right to interfere with His Will and Decree. Allah, the Most High, states:

" Say, " Have you seen the sustenance which God has sent down for you, then you make thereof some lawful and some unlawful." Say, " Has God permitted that to you, or do you invent of your-selves and attribute it to God?" (10:59)

Forbidding what Allah, the Exalted, has allowed of the good and pure things in life and allowing what He has forbidden brings about Allah's wrath and torture. The trangressor on Allah's soverignty deserves manifest loss and misery. Allah reviled the trangressors of the Ignorance Ages saying:

"Losers are they who kill their children in folly and ignorance, and who have forbidden what God has provided for them, falsely ascribing prohibitions to God they have gone astray, and they are not rightly guided." (6:140)

If we adopt a more meditative approach, we will soon realize that the charisma of singing and a sweet singing voice is in conformity with human instinct. Sweet appeasing rhymes are sung for babies to make them stop crying. They busy themselves with listening to the nursery rhymes and forget about crying. Mothers, wet nurses and governesses make a habit of singing nursery rhymes to young children. Even birds and animals are affected by sweet sounds and rhythm. In * Al Ehyaa Al Ghazali said: " Whoever is not

* A book written by Al Ghazali called " Rejuvenation"

moved by what he hears, suffers a defect in character. He lacks spirituality. He is more severe and harsh-hearted than camels, birds and the rest of the animals. Although the camel is lazy by nature, it is affected by the chanting of the caravan leader which charges it with animation and activity. It was reported on A'isha's - may Allah be pleased with her - authority that: " Once I saw the Prophet (P.B.U.H.) at the door of my house while some Ethiopians were playing in the mosque (displaying their skill with spears). Allah's Prophet (P.B.U.H.) was screening me with his Rida - garment - so as to enable me to see their display. I kept on watching till I left on my own." So you may estimate of what age a little girl may listen to amusement"*.

If singing expresses a mood of play and amusement, it is judged as lawful since play and amusement per se are lawful - Halaal. Man atends to forget the heavy weight he carries and the long distance when He is preoccupied with listening to the enchanting and animating songs. If you watched the camelsí reaction on hearing the chanting of the caravan leader, you will see for yourself that they stretch their necks and listen with open ears. They quicken their pace to such extent that their loads begin to swing.

Islam is definitely not at war with human instinct. It does not aim at neutralizing its influence on man. Instead, it aims at refining and elevating it to new heights of perfection. Imam Ibn Taymeya - May Allah rest his soul - said: " The Prophets were sent to stress and perfect human instinct not to

* A'isha was fifteen years old.

alter or modify it."

Further evidence from the Sunnah exists. For instance, when The Prophet (P.B.U.H.) arrived to Al Madina, they had two days a year for celebration and diversion. When the Prophet asked: " What are those days?" They answered " They are two days on which we hold celebrations. It is a custom which we inherited from our forefathers of the Ignorance Ages." The Prophet (P.B.U.H.) said: " Allah has gifted you with better ones, namely, the Adha day - the Feast Day - on which Muslims sacrifice Hadys (animals, i.e. a sheep, a cow or a camel, etc) and the Fitr day - the Feast Day on which Muslims break their thirty day fasting of Ramadan." This hadith was narrated by Ahmad, Abu Dawoud and Annesaea.

It is not possible to survive perpetual and absolute seriousness and sternness. In this respect it was narrated that the Prophet (P.B.U.H.) said to Hanzala who thought that the change of his attitude with his wife and children (e.g. playing and having fun with them) from that with the Prophet (P.B.U.H.) is flagrant hypocrisy: " O Hanzala, you should devote part of your time to the lawful enjoyment in this world."

This hadith was narrated by Muslim. 'Ali Ibn Abi Talib said: " The hearts get bored just as the bodies do so you should revive them with amusements. If things are forced upon them, they are blinded."

Ali - may Allah honour him - said: " The hearts get bored just as the bodies do, therefore you should always supply

them with novel and useful pearls of wisdom."

Abu Addardaa said: " For personal recreation, I resort to some diversions which give me the energy and strength necessary for my battle for the truth."

Imam Al Ghazali refuted the claim which some people propagated to the effect that singing is play and amusement, saying: " It is true that singing is play and amusement but then when one comes to think of it, the whole world is full of play and amusement. Playing with and fondling women are part of this play and amusement. Except for sexual intercourse which leads to the creation of a fetus. It was reported that the Prophet (P.B.U.H.) and his Companions stated that joking was lawful - Halaal - so long that it does not contain bad, evil or obscene words. The texts of the Sunnah witness that any kind of amusement which exceeds watching few Ethiopians playing with their spears, is allowed - Mubah. I am of the opinion that play and amusement revive the heart and rid it of its burdens. If the heart is over loaded it may be simply blinded. Diversions fuel it with enough energy and motivation. The studious scholar of religion should take one day off, e.g. Friday. This day off provides him with enough energy and strength to survive the toil of the week. If one is constantly performing Sunnah Prayers - Nawafil - he should break this punctuality for sometime praying is even disliked. This occasional break helps one exert more effort. Diversion is essential. Only the Prophets - upon them be peace - are capable of surviving on absolute self-discipline and truth.

Diversion is the antidote to ailment and monotony, therefore it is only natural that it should be allowed. As one should not swallow more than the prescribed dose of a medicine, one should not take this antidote to excess. With moderation in mind, diversion turns into approach to Allah. This applies to the recipient whose heart is not affected - negatively in the least by what he hears. He merely craves amusement and relaxation. He does not allow this diversion to abuse him spiritually or morally. If these conditions are met, it is preferred that he allows himself these occasional excursions into the realm of diversion. They definitely charge him with enthusiasm and determination. Indeed, this denotes a defect in his character but no one is perfect. No one is capable of enduring the solid and hard truths of life without being involved in some kind of recreational activity. It is a rule that the good deeds of the pious - Abrar - are the bad deeds of those brought near Allah - Muqarrabun. Beyond doubt, recreation is an indispensable and a fundamental cure to sick hearts. Al Ghazali's gems of wisdom call forth the true spirit of Islam.

The advocates of singing:

As we have seen, the texts and laws of Islam witness that singing is allowed. Moreover, many of the Companions, followers and scholars witness to its being allowed. It was reported that the pious and devout people of Al Madina, the Zahirites who paid much attention to details and surface meaning, and the hard-line Sophists who observed their religious obligations and neglected the permissions which Allah bestowed on Muslims both judged singing as allowed.

Imam Ashokani said in his " Nayl Al Awtar" : " The people of Al Madina,a group of the Zahirites and sophists permitted singing even if it was accompanied by lute and[1] reed instruments.

In his book on listening to singing, Prof. Abu Mansour Al Bughdadi Ashafeai said: "Abu Abdullah Ibn Jaafer was of opinion that singing is lawful. He even composed songs and asked his slave girls to sing them. This happened at the time when Ali - may Allah honour him - was the Commander of the Believers - Amear Al Moumenean. He narrated that many adopted the same attitude towards singing, e.g. Al Kadi Shorayh Saead Abdullah Ibn Jaafar bought her, then he went back to Ibn Omar . . . . etc. The author of Al Akd, and the man of letters, Abu Omar Al Andalosy narrated that : One day, Abdullah Ibn Omar came to Ibn Jaafar's house and found a slave girl with a lute on her lap. He asked Ibn Omar: "Do you think it is wrong? Ibn Omar answered: "No" I think it is all-right. Al Mawardi narrated on authority of Mo'aweya, and Amr Ibn Al Aass that they both heard the Ibn Al Moseah, Attaa Ibn Abi Rubah Azzahri and Ashshaabi.

Imam of the two Harams[2] said in The End and Ibn Abi Addonya narrated that trustworthy historians reported that Abdullah Ibn Azzobayer had slave girls who were excellent players of lute. One day Ibn Omar came to visit him and found him sitting with a lute by his side. He asked him: " O the Companion of the Prophet. . . what is this?" He gave it to him. Ibn Omar examined it closely then he asked: " Is it a

(1) Such as the oboe and the clarinet.

(2) In Mecca and Madin.

balance of Ash Sham?" Ibn Azzobyer answered: " It balances one's intellect!"

In his essay on hearing, Al Hafez Abu Muhammad narrated that a man came to Al Madina to sell slave girls. He was hosted by Ibn Omar. One of his slave girls was an excellent lute player. A man came and bargained with him but he was not interested in what he offered Ibn Omar told him: " You should show your slave girls to a man who has enough sense to appreciate them." The merchant asked: "Who is that man? " He answered: " He is Abdullah Ibn Jaafar." He hastened and showed them to him then he ordered one of them to take the lute at Ibn Jaafar's. Abu Al Faraj Al Asbahani reported that Hassan Ibn Thabet heard his poems sung on the lute. Abu Al 'Abbass's narration was to that effect. Al Adfawi narrated that before Caliphate, Omar Ibn Abdel Aziz used to listen to the singing of his slave girls. Ibn Assamaani reported that Tawoos permitted singing. Ibn Kotayba and the author of Al Emtaa reported on authority of the Judge of Al Madina, Saad Ibn Inrahim Ibn Abdel Rahman Azzahri, that the followers permitted it. In Al Ershad, Abu Yaaíli Al Khalili reported that Abdel Aziz Ibn Salama Al Majshon the Mufti of Al Madina, permitted it.

Al Rawyani reported on the authority of Al Kaffal that the school of Malek Ibn Annas allowed singing with musical instruments. Prof. Abu Mansour Al Fawrani reported on the authority of Malek that he permitted playing the lute. In Koot Al Koloob Abu Taleb Al Makki reported on the authority of

Shoaba that he heard the music of Attanbour*coming from the house of the famous narrator, Al Menhal Ibn 'Amr.

In The Hearing - Assamaa - Abu Al Fadl Ibn Taher reported that there was agreement among the people of Al Madina that the lute is allowed. Ibn Annahawi in Al Omda and Ibn Taher reported that there was a broad consensus of opinion in Al Madina on allowing the lute. The Zahirites by consensus, verified this report. Al Adfawi informed us that all reporters were in agreement about the fact that the above mentioned Ibrahim Ibn Saad did play the lute. The group - Jamaaa - authenticated these reports. By the group, we refer to the author of the six books - the two Sahihs and the Sunnan.

A group of the Shafitic school allowed playing the lute, as reported by Al Maroudi and Abu Al Fadl Ibn Taher on the authority of Abi Isaac Al Sherazi. In Al Mihemmat Al Asnawi reported that it was allowed on the authority of Al Rawyani and Al Maroudi. Both Ibn Annahawi and Ibn Al Mulaken in Al Omda reported it on the authority of Prof. Abi Mansour and Ibn Taher. Al Adfawi stressed the fact that playing the lute is allowed. He reported it on the authority of Shiekh Ez Addean Ibn Abd Assalam. The author of Al Emtaa narrated reports of its being allowed on authority of Abu Bakr Ibn Al 'Arabi.

By consensus, the above mentioned scholars were of the opinion that it is lawful -Halaal- to listen to music played with conventional musical instruments.

* A musical instrument with strings.

In Al Emtaa, Al Adfawi stated: " In some of his essays on Fiqh, Imam Al Ghazali reported that there was unanimity on the lawfulness of listening to singing without music, e.g. musical instruments."

Ibn Taher reported that there was a broad consensus of opinion among the Companions and followers on its lawfulness. At Taj Al Fazari and Ibn Kotoyba reported that there was unanimity on that issue among the people of the two Harams. Ibn Taher and Ibn Kotayba reported the consensus of the people of Al Madina on it. Al Maroudi stated that the people of Al Hejaz were in the habit of permitting it even in the blessed days of the year which Allah enjoined on man to consecrate his time to His worship and remembrance.

Ash Shawkani mentioned in Nayl Al Awtar that Ibn Annahawi in Al Omda stated that there were narrations on listening to singing on the authority of a group of the Companions and followers, among them were Omar, Ibn Abd Al Bar Othman and others reported narrations on his authority. Ar Rafeai and Al Maroudi, the author of Al Bayan informed us of the issue, on the authority of Othman Ibn Abi Shayba reported on the same issue on the authority of Abdel Rahman Ibn Awf Al Bayhaki authenticated the narrations of Abu Obayda Ibn Al Jaraah. Ibn Kotayba authenticated Saad Ibn Abi Wakas reports Al Bayhaki authenticated the narrations of Belal, Abdellah Ibn Al Arkam and Osama Ibn Zayd. The narration of Hamza on that issue was authenticated

* In Mecca and Al Madina.

in the Sahih. Ibn Taher authenticated the narration of Ibn Omar. Abu Annaaeam authenticated the narration of Al Barraa Ibn Malek. Abu Taleb Al Maki informed us about singing and listening to it on the authority of Abdullah Ibn Az Zobayer. Also, Abu Al Faray Al Asbahani reported on the authority of Hassan. Az Zobayer Ibn Bakkar reported on the authority of Abdullah Ibn Amr. Ibn Kotayba reported on the authority of Korza Ibn Kaab. The author of Al Aghani authenticated the narrations of Khawat Ibn Jabayer and Rabah Al Moataref. Abu Taleb Al Makki informed us on the authority of Al Mughera Ibn Shoaba. Al Maroudi reported on the same issue on the authority of Amr Ibn Al Aas. In Sahih Al Bukhari and others, there are reports on the very issue, on the authority of A'isha and Al Rubaya.

As for the Followers: there were reports on the issue of singing and listening to it, on the authority of Saead Ibn Al Musayh, Salem Ibn Abdullah Ibn Omar, Ibn Hassan, Khareja Ibn Zayd, Shorayh Al Kadi, Saead Ibn Jobayr, Amere Ash Shoabi, Abdullah Ibn Abi Ateak, Attaa Ibn Abi Rubah, Muhammad Ibn Shehab Az Zohari, Omar Ibn Abdel Azeaz and Saad Ibn Ibrahim Az Zuhari.

As for those who followed, there were innumerable repoprts on their authority. Among them were the four Imams, Ibn Oyayna and the majority of Shafites.

The Prerequisites:

Naturally, there are certain constraints on the judgement of the lawfulness of singing and listening to it. To come into force, there are certain conditions which must be met: 1 st) At

this point, I should re-emphasize that not all forms of singing are allowed. They should conform with the moral code of Islam. It is unlawful - Haraam - to sing seductive lines of poetry such as those written by Abu Nawas.

It is also unlawful to sing certain lines of Shawki's poetry which descrate Ramadan and encourage one to drink alcohol. It is unlawful to sing Elya Abu Madiís poem **Al Talasem** which upholds sceptisim. It casts doubts on the fundamentals of faith, creation, the Hereafter and Prophethood. The same applies on its colloquial version under the title: Do not ask me why! Sung by a famous Egyptian composer. This informal version of Elya's poem, propagates these devastating ideas more widely. I believed that songs with meaning along the lines of " The world worth nothing without a cigarette and a glass of wine" sabatage morals and religion. These songs obviously violate the teachings of Islam which deem all kinds of alcoholic drinks as abomination of Satan's handiwork. Allah curses whoever drinks, makes, sells or even carries alcoholics. He also curses whoever makes this trade of alcoholics possible. Smoking is detrimental to health, psyche and finance.

The songs which flatter the oppressor, or a sinful and tyrant rulers who plague our Islamic nation are unlawful - Haraam. They violate the teachings of Islam which urge Muslims to curse their oppressors, their retinue and the passive people who do not try to put an end to their tyranny.

Also, the songs which glorify handsome men or pretty women and praise their physical appearance are unlawful - Haraam. In this respect Allah states:

" Say to the believing men, that they cast down their galances, and guard their chastity that is more for them. Indeed God is well aware of what they do. And say to believing women that they cast down their Galances and guard their chastity, and reveal not their adornment."

(24:30-31)

It was reported that the Prophet (P.B.U.H.)said: "O Ali, Do not follow your first undelibrate galance with second delibrate one at forbidden things. The first galance is done involuntarily, hence forgiven. The second one is deliberate, hence unlawful - Haraam."

2) Performance is critical as far as singing is concerned. Sometimes it happens that the subject matter of the song is lawful but the way the singer transmits its meaning is unlawful. His performance is seductive and his pronnciation itself is positively indecent. These types of songs lure people of sick hearts and weak wills right into sin. Thus, these songs are no not allowed. They are judged as forbidden or suspicious or disliked. The same verdict applies to love songs which are in vogue. These songs which are broadcasted days and night, and even requested by young recepients, use the most sophisticated artistic techniques to impress the recepients and put them under their spell.

The words, presentation, performance, costumes, light, location, the zoom-in and out, the cast and the singer are used to convey a message only this time it is a destructive one which aims at the seduction and sexual arousal of the recepients particularly the adolescents.

Allah addresses the wives of the Prophet saying:

" O wives of the Prophet, you are not like any other women. If you fear God, speak not in affected tone, so that he in whose hearts a disease may yearn, but speak honourable words." (33:32)

If speaking in affected tone is forbidden then it stands to reason that when rhythm, rhyme, performance and side affects are added to this affected tone, the output - song - is definitely unlawful - Haraam.

3) While singing, the singer should not present unlawful things such as drinking alcoholics or displaying the bodies of women or propagating licentiousness among women and men. Throughout these three violations seem to have recurred regularly in music gatherings and festivals particularly when the singer was a slave girl or a woman.

Ibn Maja and others informed us that the Prophet (P.B.U.H.) said:

" From among my followers there will be some people who will consider the drinking of alcoholic drinks as lawful and call it by another name. They will consider the use of musical instruments as lawful. Allah will make the earth swallow them and change them into monkeys and pigs."

I would like to draw the reader's attention to the fact that in the past, if one wanted to listen to music and singing, he had to go to music gatherings and mix with singers of both sex and the rest of the members of the band e.g. the chorus, the musicians....etc. Seldom. If ever, had these gatherings

been of licentiousness and encroachments on the moral code of Islam.

Today, it is different. Man can simply push a button so as to listen to music and singing. He does not have to mix with the singers or chorus as before. These extenuating circumstances, reduce the penalty. They lower the verdict to the level of permission and easiness.

Like all allowed things, singing and listening to songs should always be kept under control. One should listen to it within limits. This means of amusement should not go beyond the normal or acceptable limits. One should not spend his day listening to music particularly love songs which deal with longing and romantic love. He should be fully aware that he can not survive on love alone love is not the equivalent of emotion. Love is not only directed towards women. There are different kinds of love. The womenís role in life should not be restricted to sexual arousal and sexual satisfaction. Hence, the urgent need to curb the torrents of these songs of love and passion. One should strike a strict balance between his religious obligations and his need for diversion. He should give everything its due share of time and interest. He should realize that there is fundamental need to keep his duties and rights toward society in equilibrium. He should find a sensible middle point between his intellectual and emotional needs. He should not allow his human emotion to override each other. He should vent them freely and proportionately. His expression of passion, hate jealousy, enthusiasm and the different kinds of family love,

e.g. love for one's parents, brother, sister, son, daughter and friends should all be kept in proportion.

If he allows one of these emotions to have the upper hand and sweep aside his other equally important emotions, he would jeopardize his personal integrity and peace of mind. This emotional hegemony alienates one from his society and religion. Islam forbids excessiveness even in worship itself. It stands to logic that excessiveness in diversion is forbidden even if moderate diversion is basically allowed.

If one is preoccupied solely with his personal diversion and amusement, he is doomed to go astray. He loses sight of his original obligations and aims. He wastes his precious time and efforts which should have been consecrated to other obligations. I should quote Ibn Al Mokafaa's wise saying: " Excessiveness and loss are inseparable." It was reported that the Prophet (P.B.U.H.) saïd: " The wise man should set out for only three things: To improve his sustenance, to take spiritual provision for the Day of Resurrection and to enjoy lawful pleasures." Man should devote equal time frame for the three. We should keep in mind that Allah will ask every humanbeing about the manner in which he spent his life and youth.

Man is expected to play the role of a scholar and mufti when certain songs or certain kind of singing has a particularly individual effect on him. If this type of music arouses and seducesim personally, though it does not have the same corrupting effect on others, he should immediately shun

it as forbidden. If it leads him astray and gives reins to sinful imagination in which the spiritual loses ground to the sensual, he should declare it forbidden. He should not expose himself to temptation. He should, at once, close this gate of hell.

Singing and entertainment in the Islamic world:

Listening to sweet sounds is one of the realities which the devout Muslim can not possible escape. There is no conflict between piety and moderate entertainment. The Muslim's sense of hearing seems orientated towards sweet sounds. Rhythm and rhyme satisfy a basic need of man. Music exists everywhere around him. He can listen to it in the sweet sounding recitation of the Glorious Qur'an. He can listen to it in the Azan - the call to prayer five times daily. Azan is an expression of the Islamic practices and heritage. It was reported that when the Muslims thought that they should have their unique call to prayer, Abdullah ibn Abd Rabbih saw a dream while sleeping, in which he was taught how to call people to prayer. When the morning came, he told the Prophet (P.B.U.H.) about his dream. The Prophet said: " Your dream is true, Allah willing. Go to Bilal, tell him what you have seen, and tell him to make the call to prayer, for he has the best voice among you."

This hadith was narrated by Ahmad, Abu Dawoud Ibn Khuzaimah and At Tirmidhi, who called it Hassan Sahih. There is music in the impressive tunes of religious supplications sung by strong angelic voices. Man can listen to music in the rhymes praising the Prophet which is part of the Islamic heritage. He can start with the famous impressive

tune sung by Al Ansar girls on the occasion of the Prophet's arrival to Al Madina which represents a landmark in Islamic History.

I remember that twenty years ago when I was sent as a member of a delegation from Quatar to Indonesia I heard a hymn sung by a congregation of school girls in an Islamic school. Their sweet angelic voices touched the members so deeply and to such extent that we could not stop our tears from flowing.

In the past, Muslims managed to create their exclusive art of diversion and entertainment. This singular art flourished in the countryside. As an adolescent, I caught it in all its glory. This art stemned out of the environment. It was manifested in the Mawal - a poem in colloquical language often sung to the accompaniment of a reed pipe. People sang Mawawil at their houses or gathered in a place of entertainment to listen to them. They were sung by talented sweet voiced singers. Most of those Mawawil tackled the issue of love, passion, longing and desertion. Some of them dealt with worldly affairs, injustice of people and fate and the problems of life. The majority of those Mawawil were sung with the accompaniment of a musical instrument. Some singers were accompanied on the Arghoul. Some of those singers were artists by instinct, they wrote, composed and sang the Mawawil. They sang lyrics celebrating the heroism of national heros who performed unparalleled feats of daring and patience.

People used to enjoy the tune and the message to such

extent that they learnt it by heart. Among the famous Mawawil were: Adham Ash Sharkawi, Shafeaka and Metwali, Ayoub Al Masri, Saad Al Yateam and others. They sang epics celebrating the life story of a public hero such as Abu Zayd Al Helali. People used to gather to hear his story sang to the accompaniment of a musical instrument. They enjoyed the lines of poetry sang on Arrababa - rebab a stringed instrument of the Arabs resembling the diffle, with one to three strings. The public poet used to sing those lines of poetry to rebab and epics fans. Today, those epics are substituted by T.V. serials. They sang songs on the occasion of feasts, wedding, birth circumcision, return of the beloved ones, recovery of the sick and the return of Haji - one who performed pilgrimage. Songs were exclusively invented, composed and sung for such occasions as the harvest of the different crops, e.g. cotton.

Labour who worked in building and carried heavy materials used to sing songs charged with activity and enthusiasm to encourage themselves to exert their utmost effort. They sang " Come on come on . . . Ask Allah to bless Muhammad and greet him with the Islamic way of greeting" This practice has a basis from the Shariaa for Sahl Bin Saíd. As Saidi: We were in the company of Allahís Prophet (P.B.U.H.) in the battle of Al Khandaq, and he was digging the trench while we were carrying the earth away. He looked at us and said: " O Allah! There is no life worth living except the life of the Hereafter, so please forgive the Ansar and the emigrants."

Even mothers are in the habit of singing nursury rhymes while rocking their babies to sleep in their cradles. Their famous refrain is " O Allah, I hope he will fall asleep." I can still remember the rhymed summons of al Mesaharati - a man who walks the streets tapping on a small drum with a stick to wake up people to eat the last meal before day break during the month of Ramadam. It is worth mentioning that sellers and salesmen invented their private little rhymes to attract people to their goods,e.g. liguorice, fruit and vegetables sellers.

In conclusion, the art of singing has a fundamental role in our religious and worldly life. People respond to it readly and instinctively. Those who are broadminded and religiously knowledgeable enough to realize that singing is not in conflict with the laws or moral code of Islam.

The Muslim Scholars were not against these folk songs, strangely enough, Folklore is an unusual yet a successful combination of religion, faith, and moral code. In it, the spiritual and the physical intermingled. It propagates monotheism, rememberance of Allah, Supplications to Allah, supplication to Allah to bless Muhammad etc.

At first, I thought that this phenemenon was exclusive to Egypt, but then I discovered that it is found in Asham, Morocco, Algeria, Tunis and the rest of the Arab world.

Uncompromising opposition to singing-Why?

I should draw the reader's attention that when it comes to singing, modern and contemporary scholars have shown

extreme inflexibility. They have declared war on singing, particularly to the accompaniement of musical instruments. Those hardliners have cited their reasons for it:

1) The early Muslim Scholars were more inclined towards eniency on Muslims. Contrary to them are the late scholars who are more inclined towards unwarranted strictness Muslim. They believe that strict discipline and precautionary measures are the answer. To ascertain this, one should follow up the natural progression of Fiqh and fatwa ever since the era of the Companions up to the followers. History is full of innumerable striking examples of this protective attitude.

Weak- Da'if - and fabricated - Maudu' - a popular fallacy:

Many of the late scholars were deluded with the great number of weak and fabricated Hadiths inherited. Being unqualified to distinguish between the different types of Hadith and determine whether the chain of reporters are reliable or not, they fell to propagating those Hadiths. Ignorance and the widespread claim that when many weak Hadiths deal with the same topic and are to the same effect, they are automatically elevated to the level of authentic, fathered this fallacious argument.

Influence of singing:

Singing perverted by flagrant violations of the moral code of Islam, tipped the balance in the favour of forbidding it. The controversy over singing is fuelled by two contrasting images:

The image of erotic and licentious singing:

Erotic singing became one of the idiosyncracies of the elite. The upper class is immersed totally in forbidden pleasures. They abandoned their prayer in ungratefulness and indulged in their lusts. Singing systematically condoned immorality, intoxicants perjury and debauchery. The Abbaside era was infamous for condoning licetiousness.

The young girl singers used to debauch and seduce the audience with their erotic wicked songs. If one wanted to listen to singing, he had to attend those vicious shows and indulge himself, without restraint, in licetiousness, and divert from the Command of the Lord.

Unfortunately, whoever works in show business theatre, cinema or TV is plagued by this devastating atmosphere. Therefore, each time Allah bestows His guidance and remorses on someone who works in this corrupt field of art, he opts for immediate retirement and flees in search for salvation.

The image of sufist singing:

The second image which is called forth is religious singing. It was adopted by sufis as a mean to enhance oneís longing for Allah's way. It sets oneís heart on striving on the way of Allah just as the rhymed singing of the camel driver spurs the camel on to hasten forgeting its heavy burdens and long distance.

Sufis consider listening to religious singing as a way of worship to approach Allah. They were reprimanded by Ibn

Taymeya, the Sheikh of Islam and Ibn Al Kayem his disciple. In Aiding the Yearning , Ibn Taymeya launched a merciless attack on religious singing carried away by enthusiasm, he cited, indiscriminately, all the unauthentic and ambiguous Hadiths which support the forbiddenness of singing. This indiscriminate attitude does not conform with his usual fastidious scrutiny. Both Ibn Taymeya and Ibn Al Kayem were of the opinion that religious singing is forbidden not withstanding the fact that it might bring one closer to Allah. They claimed that Allah did not ordain such singing. It was not even heard of the time of the Prophet or the Companions. They protested that it might even come under innovation particularly if it is practised in mosques. Ibn Al Kayem reprimanded religious singers in lines of poetry describing them as donkeys which bray and undermine worship turning it into petty entertainment. It is noteworthy though that some of Ibn Taymeya's futwas allowed singing if it is done to escape embarrassment or for entertainment.

Al Ghazali's standpoint:

Perhaps one of the most impressive and just standpoints towards the issue of singing is Al Ghazali's. Quite admirably, he probed and refuted the claims of the opponents of singing, then he embarked on supporting the evidence of the proponents. He exerted his utmost to determine the cases inwhich it loses the privilege of being allowed and trespasses on the forbidden. His genius rests in his exceptional ability to exhibit the Shariaa intrinsic tolerance middle ground and

feasibility.

In Al Ehyaa Al Ghazali presented a liberal fiqh which rejected the fetters of religious schools. This, he broke free from Shafiites and practised jurisdiction free from all bounds. He began to investigate Shariaa from a different persective. This attitude was clear in many of his writings. Some of which are appropriate for academic study.

The cases in which the allowed loses ground for the forbidden:

Al Ghazali mentioned five prerequisites for this conversion:

1) The first one deals with listening to the singing of a woman and looking at her although one is lawfully allowed to marry her. He forbade both acts for fear of seduction and corruption. We should stress here that he did not forbid singing in itself . Al Ghazali concluded that this forbiddenness is for fear of seduction and trial. To prove his opinion he cited the hadith which reported that although the Prophet (P.B.U.H.) actually listened to the singing of two female singers at A'isha's house, he did not reprimand them or order them to stop singing. We must point out here though that there was not any fear of seduction or corruption in such on instance if seduction were suspected, forbiddenness would take over the lead. The verdict of forbiddenness also depends on whether the singer is a young or old woman and whether the listener is a young or old man. Each case receives its appropriate verdict. Similarly we judged that the old man is

allowed to kiss his wife while fasting whereas the young man is forbidden such privilege.

2) This point deals with the kind of musical instrument used andwhether it is one of the forbidden kind used by alcoholics and efferminates e.g. wood wind strings and[1] Koba drum. The rest of the musical instruments like Al Duff - tambourine with jingling rings, and beating with sticks are allowed.

It is forbidden to sing lines of poetry which have erotic, seductive satiric connotation. Similarly, it is forbidden to listen to blasphemous words which show contempt or propagate falsefoods about Allah, His Prophet and the Companions, whether with or without melody. The listener is judged as a collaborator with the writer of such words and therefore he shall have what he earns of the sin. It is also forbidden to sing words which describe the features of a particuar women before male audience. It is lawful to compose and sing of poetry or words which eulogise the outword appearance of woman e.g. her cheeks, figure anf stature, whether with or without a melody, so long as the recepient is forbidden to marry her.

3) The listener is allowed to praise the beauty of a woman whom he is forbidden to marry. He should not be swayed by the melody or words into imagining the outword appearance and beauty of a particular woman whom he is not forbidden to marry and indulge in sinful fantasies. If he fails to observe this condition, he commits the sin of imagining and thinking about the outword appearance of a woman he is not forbidden to marry. He should immediately shun listening to this song.

(1) A musical instrument that looks like a kettledrum.

4) It is unlawful for adolescents who are notably susceptible to sexual arousal to listen to singing. They are forbidden to listen to such songs even if they do not have particular beloved ones in mind. On listening to a song describing a womanís temple and cheeks and separation and reunion, Satan sways one to embody them into a picture of a particular person. Thus, this life like picture at the back of his mind begins to arouse him emotionally and sexually and tempt him into evil acts.

Listening to singing is allowed for ordinary people who are neither infatuated by religious singing which celebrate Allah, the Most High nor are over-sexed by songs which praise the outward appearance of women. We should stress that singing is raised to the level of forbidden if the listener shows exaggerated interest in it and spend much time on it. In such case, he is stigmatizede as foolish and his testimony is not accepted. Preoccupation with diversion is a minor sin, With persistence, minor sins turn into grave ones. Similarly, if one persists in doing some of the allowed things, they lose this privilage and assume the level of minor sins. For instance, not withstanding the fact that playing chess is allowed, it becomes disliked when one spends much time on it. Similarly, it is unlawful to eat too much bread although bread itself is allowed. Excessiveness in doing what is allowed is unlawful - Haraam.

I should highlight the fact that Al Ghazali's considered strings and wood wind instruments as one of the reasons for the forbiddenness of singing. He cited the texts which

proclaim its forbiddenness. He skillfully used juristic reasoning to account for it. He stated that Islamic jurisprudence did not forbid singing for the pleasure and entertainment, it sustains because if that was the case all things which provide one with pleasure and entertainment would have been forbidden. Thus, although intoxicants gives man a certain kind of pleasure, it is forbidden. People's fondness of it permitted firm forbiddenness. So much so that at the beginning of its enforcement, Muslims had to break the[1] Dannan to pervent people from drinking. This law shunned anything which was associated with the notorious gatherings of drinkin gsuch as the strings and wood wind instruments. Their forbiddenness was derived from their associationwith those infamous gatherings. Similarly, it is forbidden to stay with a woman in seclusion because it is seem as a prelude to sexual intercourse. It is also forbidden to look at someone else's thigh because it is connected with the sexual organs. Consumation of intoxicants in small quantity is forbidden even though it does not lead to drunkness, simply because it is the first step towarsds drunkness. It is a rule that when anything is declared forbidden, other things which are closely associated with it are simalteously forbidden when Allah forbids a thing, His forbiddenness extends to all sustaining factors so as to safeguard us from its abominable aftermath Strings and wood-wind instruments are subjected to the same law of the forbiddenness of intoxicants for three reasons: First, these instruments invite people to drink. Drinking is inevitable if one wants to enjoy the music played on these instruments. Second, they are reminiscent of the pleasure gatherings, they revive one's longing for them

(1) Large containers of intoxicants.

particularly when one has been sober for a relatively short time. Third, it is forbidden to imitate the dissolute, and therefore people should not gather around these instruments as sinful people used to do, otherwise they are considered sinful too. In conclusion, Al Ghazali stated that pleasure is not the reason behind the forbiddenness of these instruments. Their forbiddenness is derived from their being the seeds of corruption. Good and innocent pleasure are definitly lawful-Halaal. A good thing is only forbidden when it leads to corruption and sin. In this respect, Allah, the Most High, says:

" Say, "Who has forbidden the ornament of God which He brought forth for His servants, and who has forbidden the good things which He has provided?" (7:32)

May Al Ghazali soul rest in peace for all his estimable contributions to Islamic Juristic reasoning. I should stress here that there is not a single authentic and clear-cut revealed text which forbids these instruments. Obviously, Al Ghazali did not investigate the authenticily of the matn - text - and isnad - chain of reporters of the Hadiths he cited to prove the forbiddenness of singing. If he had known the degree of the discontinuity in their isnad, he would not have even taken the trouble of interpreting them. Anyway, if one fails to realize that they fail to reach the status of hasan, he will find consoltation in Al Ghazali's comment.

Forbiddenness based on sweeping generalisation- a fatal mistake:

Finally, I would like to address the venerable scholars who use the word unlawful - Haraam loosely and issue futwas

without rigorious and minute scrutiny, I would like to advise them to fear Allah in the verdicts they issue and realize that the aftermath of the word Haraam is not be taken lightly. If the word is abused disasterous consequences are inevitable. The word unlawful Haraam indicates fully deserved retribution for sinner. The verdict of unlawfulness can not possibly be based on mere conjecture, whims, weak - da'if - Hadith or manuscripts which need versification. It must be based on authentic and clear-cut texts of the Qur'an or the Sunnah, or acknowledged consensus of scholars. Otherwise, the verdict changes into allowed or forgiven. Their only way out of this dilemma, is to follow in their pious predecessor's footsteps.

Imam Malek, may Allah rest his soul, states: " Nothing is more difficult for me than to be asked to pass a verdict of lawfulness - Halaal or unlawfulness - Haraam. This determination is one of Allah's prerogatives hence its difficulty. I have witnessed in my early days how the scholars of Fiqh trembled at the thought of passing wrong verdicts and thought their verdicts over and over before announcing them in public But I am greatly disappointed to live to see the day when people are blatantly, infatuated with issuing random verdicts. If knew the distasterous consequences of this flurry of rash verdicts, they would have immediately, rein it back. They should follow suit the great Companions e.g. Omar Ibn Al Khatab and Ali who when asked to pass a verdict, they used to gather the companions of the Prophet and scrutinize the matter then they would finally give a fatwa. Unfortunately, the people of our time turned fatwas into a matter of pride and prejudice, hence their poor knowledge.

The people of old who gave us models of religious and moral perfection to follow suit, were not in the habit of passing verducts of lawfulness or unlawfulness. Instead, they preferred the words I am of the opinion and I dislike. They were of the opinion that this determination equals inventing a lie and attributing it to Allah. In this respect, they used to quote Allah, the Most High:

" Say, "Have you seen the sustenance which God has sent down for you, then you make thereof some lawful and some unlawful" Say, "Has God permitted that to you, or do you invent of yourselves and attribute it to God?" (10:59)

They commented that it is Allah's exclusive prerogative to pass the verdict of lawfulness and unlawfulness.

In Al Om, Ash Shafea reported that Imam Abi Yussif, a colleague of Abi Hanefa stated: " In my time, scholars felt intense loathing for passing the fatwa of lawfulness or unlawfulness. Unless Allah, the Exalted, has already settled it in the Qur'an. Ibn Assaeb reported that Arrabea Ibn Khaytham who was one of the best followers said: I warn against passing the verdict of lawfulness or unlawfulness for when a man says that Allah made this lawful and acceptable, Allah will say: " I did not make it lawful or accept it." And when he says that Allah made this unlawful, Allah will say: " You are a liar, I did not make it unlawful nor forbid it."

Some of the companions narrated on the authority of Ibrahim Annakhaea that if his companions decided that there was an urgent need for fatwas or forbiddenness, they used the words, disliked and "acceptable. They trembled at the thought of pronouncing the words lawful and unlawful in their fatwas.

Fine Arts

Painting, picture-making and decoration

Picture-making in the Qur'an:

As stated in the Qur'an, Allah, the Exalted, has shaped the world as a masterpiece of absolute beauty and perfection. At the uppermost of His superb creations is the human being. Allah states:

" God is the One Who shapes you in the womb as He pleases,

there is no god but He, the Almighty, the All-Wise." (3:6)

" And He shaped you, and He shaped you well, " (64:3)

" God is the One Who created you, then fashioned you harmoniously and in due proportion; Into whatsoever from He pleases, He made you out of components." (82:7-8)

The Shaper is one of Allah's most magnificient Names, for Allah, the Most High, states: " He is God, the Creator, the Maker, the Shaper, to Him belong the Most Beautiful Names."

Statues are mentioned twice in the Qur'an: When Abraham, reprimanded his people who worshipped statues saying:

" What are these statues to which you are so devoted?

They said: We found our fathers worshipping them."

(21:52-53)

They were also mentioned as one of the blessing bestowed on Solomon through the Jins, of which he was grateful. Allah's bounty enabled him to subject the wind and jins by His permission. In this respect, Allah states:

" They made for him whatever he desired, places of worship, ornaments, troughs for water and fixed cooking pots: O family of David work in thankfulness, few of My servants are thankful." (34:13)

Image-making in the Sunnah:

There are a great number of authentic Hadiths, the majority of which criticize picture-making and reprimand picture-makers. Some reject it altogether as unlawful and warn people against it. They go so far as to reject their possession or hanging them in one's house. They base their argument on the Hadith narrated by Abu Talha that the Prophet (P.B.U.H.) said: " Angels do not enter a house in which there is a dog or there are pictures."

Needless to say, the angels are a sign of Allah's, the Most High, Mercy, Pleasure and Blessing. It stands to reason that when a house is deprived of their presence it is deprived of Allah's Mercy, Pleasure and Blessing.

If we look at the interpretation of the Hadiths which tackled the issue of picture-making for comparision, we will soon realize that this forbiddenness and reprimand were not without foundation. Islamic law had profound reasons and superlative goals to consider when it forbids picture-making and rebuked picture makers.

Idolatry of images:

Sometimes images are made so as to glorify a thing, an animal or a human being. This glorification is doomed to turn into sanctification and later idolatry.

The history of idolatry has followed a set pattern which begins with people making images to remind them of a popular figure or thing and ends with their glorification and worship.

Interpreters said that when Nooh's people said:

" And they have said, Do not forsake your gods, and do not forsake Wadd, nor Suwa, nor Yaghuth, nor Yauq, nor Nasrr," (71:23)

They referred to the names of pious and devout men who lived in real life. Unfortunately, after they had died, Satan whispered to Nooh's people so that they would erect memorials at the places where they used to preach and called them by their names. At first, those memorials were not idolized but with the passage of time, those people died and the real purpose of erecting those memorials was long. It was then that their successors began to idolized and worship them. Al Bukhari reported on the authority of Ibn Abbass that they were erected at first to be reminiscent of the deceased pious and devout people but in time, people who knew the real reason behind erecting those memorials died and their ignorant successors began to idolize them. Aisha narrated that when the Prophet became ill, some of his wives talked about a church which they had seen in Ethiopia and it was called

Mariya. Um Salama and Um Habiba had been to Ethiopia, and both of them narrated its beauty and the pictures it contained. The Prophet (P.B.U.H.) raised his head and said: " Those are the people who whenever a pious man dies amongst them, make a place of worship at his grave and then make those pictures in it. Those are the worst creatures in the Sight of Allah."

Pictures and statues were the distinctive mark of pagan times. They flourished in pagan societies such as Abraha's, the ancient Pharaohs, the Greeks, the Roman, and up till this day the indian society amongstothers.

The Roman version of Christianity as presented by the Roman Emperor Constantine suffered greatly from interpolated pagan rituals.

I should stress that this severe reprimand is directed against picture-makers and sculptors in the different stages of history, who carve and shape wood and stone so that people idolize them. In this respect, I quote a hadith reported by Ibn Masoud: " I heard the Prophet (P.B.U.H.) saying, "The people who will receive the severest punishment from Allah will be picture-makers."

Annawawi commented that this severe punishment is directed against the permeditated sin of making pictures or statues with the purpose of idolatry. Whoever commits this sin, on purpose, is considered a disbeliever. Abominable torture awaits him. He also added that it could be interpreted differently as it could be directed against those who make pictures and statues with the intention of creating images

similar to the creations of Allah, the Most High. He placed the second interpretation on the Hadith. He was of the opinion that if one makes pictures and statues with the idea of creating what resembles Allahís creation, he is considered a confirmed disbeliever. As such, he is to be tortured mercilessly. His torture will fit his crime. Notwithstanding the fact that Annawawi was a hard-line opponent of picture-making, he sided with the second interpretation. He believed that it does not seem logical to claim that the ordinary picture-maker is to receive a more severe punishment than the one who commits a murder, adultry, drinking of intoxicants, usury or perjury and the rest of the great and minor sins.

When Masrouk and his companions went into a house which had statues in it, Masrouk asked: " Are these the statues of Khosrau?" His companions said: " Nay they resemble Mariam." It was then that Masrouk narrated the previous hadith.

Making a picture of the symbol of other religins:

It is forbidden to make a picture of a symbol which refers to certain rites of other religions. Since the cross is the symbole of Christianity, it is forbidden to possess a picture of it. The Muslim should wipe off or obliterate the image of the cross. In this respect, Al Bukhari narrated on the authority of A'isha that the Prophet (P.B.U.H.) used to obliterate anything carrying images or crosses.

Imitation of Allah's creation:

The forbiddenness of picture-making depends, to a great

extent, on the intention of the picture-maker and whether he makes the picture with the purpose of making the like of Allah's created beings or not. However, some scholars are of the opinion that every image is in fact an attempt of imitate or produce a copy of Allah's creation. In this respect, Aisha narrated: " The Prophet (P.B.U.H.) returned from a journey when I had placed a curtain of mine having pictures over the door of a chamber of mine. When Allah's Prophet saw it, he tore it and said," the people who will receive the severest punishment on the Day of Resurrection will be those who try to make the like of Allah's created beings. Imam Annawawi said in his Interpretation of Muslim that the hadith reveals the identity of those who are to receive horrendous torture, namely, those who, intentionally, try to make the like of Allah's created beings. They are condemned as disbelievers. In this respect, Abu Zur'a narrated: " I entered a house in Al Madina with Abu Hurayra, and I saw a man making pictures on the top of the house. Abu Hurayra said: "I heard Allah's Prophet (P.B.U.H.) saying (that Allah said), "Who would be more unjust than the one who tries to creat the like of My creations? Let them creat a grain."

The words 'tries to creat'e denote premeditation and determination. Therefore, Allah challenged them on the Doom's Day saying: " Make alive what you have created.

The fundamentalists are of the opinion that Allah's command here aims at putting them in a tight corner where there is no way out. Their weakness and dependence are finally in the spotlight.

Picture as luxury:

The possession of pictures reflects luxury and affluence. This accounts for the Prophet (P.B.U.H.) hatred for certain types of pictures. In this respect Aíisha narrated: " When the Prophet returned from a journey, I had placed a curtain of mine having pictures on over the door of a chamber of mine. When the Prophet (P.B.U.H.) saw it, he tore it and said: "Allah did not order us to cover stone and mud. So we turned the curtain into one or two cushions."

When the Prophet (P.B.U.H.) said: " Allah did not order us," he makes it clear that it is neither obligatory nor recommended. Imam Annawawi stated that his words denote dislike which elevates the Muslim to new heights of excellence. The house of the Prophet should set the example and rise above worldly attractions and ornaments.

In this respect, Aisha narrated: " We had a curtain having a picture of a statue on it. It was the first thing that one saw on entering the house. The Prophet (P.B.U.H.) said to me: "Remove it from my sight for every time I see it, I remember life".

Anas narrated that Aisha had a thick curtain having pictures on it and she screened the side of her house with it. The Prophet (P.B.U.H.) said to her: " Remove it from my sight, for its pictures are still coming to my mind in my prayers." So she turned it into cushions. When pictures are used to create the atmosphere of affluence and luxury, their possession is disliked, not forbidden. Annawawi was of the opinion that the only explanation for the fact that the Prophet

actually saw this curtain every time he entered her house yet he did not condemn it as forbidden. The possibility is that this incident took place before the possession of any object with pictures on it was actually forbidden.

In other words, he invalidated the hadiths which do not forbid the possession of a thing with pictures on it. He was of the opinion that the presence of the hadiths which announced the forbiddenness of pictures in clear-cut words are quite enough to invalidate the hadiths which denote mere dislike.

Needless to say, we can not abrogate a hadith on the basis of presumption. This invalidation requires two things: first, we must ascertain that the contradiction between the two texts of the pro and anti-forbiddenness hadiths is un wmistakable to such extent that reconciliation is actually possible if we interpreted the pro-forbiddenness hadith as directed against the pictures made with the intention of making the like of Allahís created beings in mind or applied it on relief pictures which cast a shadow.

Second, we must date the contradictory texts so as to determine which came last. I am of the opinion that there is no evidence whatsoever that the pro-forbiddenness hadiths followed the pro-dislike ones. In Moshkel Al Athar Imam Attahawi stated that the pro-forbiddenness hadiths preceded the pro-dislike ones. At first, Islam adopted a hard-line anti-pictures attitude for the abominable atrocities of paganism were still fresh in the minds. With the passage of time and the obliteration of notorious pagan heritage, Islam mitigated its hard-line attitude and permitted flat-surface

words, it permitted designs in garments and the like. A'isha narrated: " I purchased a cushion with pictures on it. The Prophet (P.B.U.H.) came and stood at the door but did not enter. I said to him 'I repent before Allah for the guilt I have committed' He said: " What is this cushion?" I said: " It is for you to sit on and recline on." He said: " The makers of these pictures will be punished on the Day of Resurrection and it will be said to them : 'Make alive what you have created'. Moreover, the angels do not enter a house where there are pictures."

There is another version of this hadith which reveals the Prophet's great dislike of pictures.

Fiqh of Hadith (1)

The majority of the pro-forbiddenness hadiths appeared in an atmosphere of antagonism towards the art of picture-making. Those hadiths took a negative hard-line attitude against the possession of pictures and a much more relentless one against pictures-making. It is forbidden to make images but it is allowed to possess them so long as they are utilitarian and used for low purpose e.g. the mats, cushions and the likes which man treads on or relaxes on.

Ibn Abbass reported the strictest hadith against picture-making: " Every picture-maker is doomed to Hell. In it, every picture he ever made will turn into a spirit which will forever torture him."

Al Bukhari reported that Saead Ibn Abi Al Hasan said: " I was at Ibn Abbass when a man came and said: "O Ibn Abbass, I am a craftsman and I make my living from

(1) Science of Hadith

picture-making. Ibn Abbass said: "I will just tell you what I heard the Prophet saying: " Whoever makes a picture in this world will be asked to put life into it on the Day of Resurrection, but he will not be able to do so." The man was putted up with indignation. Ibn Abbass scolded the man saying: " If there is no other way left to make your living but for picture-making then at least make pictures of trees and animale objects.

Muslim narrated on the authority of Hayan Ibn Hussein, Ali Ibn Abi Taleb - may Allah honour him - said: " Should I not instruct you to do as the Messenger of Allah (P.B.U.H.) instructed me? Do not leave a picture without obliterating it. Do not leave a grave raised without leveling it."

Muslim reported from A'isha: " Once Gabriel promissed to visit the Prophet (P.B.U.H.) but he delayed and the Prophet got worried about that. At last, he came out and found Gabriel and complained to him of his grief for his delay. Gabriel said to him, " We do not enter a place in which there is a dog or a picture."

Contrary to some people's assumptions, there are considerable number of hadiths which deal with pictures and picture-making. All of them are registered in the books of authentic hadiths. They were narrated by a group of Companions such as Ibn Masoud, Ibn Omar, Ibn Abbass, Ali, Abu Hurayra, Abu Talha and the Mother of the faithful A'isha.

Being a highly controversial issue, scholars split among themselves concerning the interpretation of the hadiths which

dealt with pictures. Imam Annawawi adopted a hard-line attitude against making pictures of animals. He forbad making pictures of human beings, animal, relief which cast shadow, flat-surface images, whether they were used for low purposes or not. However, he allowed using mats, cushions and the like which have pictures on it yet he stressed that the pictures on them are forbidden.

Some of the scholars restricted this forbiddenness to reliefs which cast shadow which are know as statues. Statues are reminiscent of paganism. Moreover, they are attempted to make the like of Allah's created beings. In this respect, Allah states:

"God is the One Who shapes you in the wombs as He pleases, there is no god but He, the Almighty, the All-Wise."

(3:6)

The Prophet said, with reference to Allah's words in a Hadith Qudsi: " Who does a greater evil than those who try to make the like of My creation?"

Some of the early scholars were of the opinion that all Allah's creatures must extend outwards from a surface so that Allah would breath into them of His Spirit. They claimed that these outlines which represent the shape or form of Allah's creation, particularly in precious metals, more appropriate for receiving the Divine breath. Moreover, they are most apt for the exhibition of luxury and conspicuous consumption than plain-surface objects.

Annawawi condemned this school for its falsehoods. Al Hafez Ibn Hajr answered back that it is the school of Al Kasem Ben Muhammad. It is probably that he could reach beyond the surface meaning of the Prophet's Hadith except a design in a garment'. Al Kasem Ben Muhammad Ben Abi Bakr was one of the seven select scholars in Al Madina. He was one of the best religious figures of his time. He was the nephew of A'isha. He narrated the hadith of the cushion from A'isha. The next hadith endoreses the hadith of the cushion for Busr Ibn Saead narrated that Zayd Ibn Khaled Al Jahhi reported on the authority of Abu Talha, the companion of the Prophet (p.B.U.H.) that he heard the Prophet saying," The angels do not enter a house where there are pictures." Busr added: Then Zayd fell ill and we paid him a visit. There was hanging at his door, a curtain decorated with a picture. I said to Ubaidullah Al Khaulani, the step son of Maimuna, the wife of the Prophet (P.B.U.H.), " Did not Zayd tell us about the picture the day before yesterday" Ubaidullah said: Did not you hear him saying: " except a design in a garment."

Attirmidhi narrated that Sahl Ibn Hunayf agreed with Abu Talha on this exception. It is unacceptable to say that the forbiddenness is restricted to inanimate objects for this interpretation runs contradictory to the hadith where the Prophet saw a curtain with pictures of a statue on it every time he entered A'isha's house, so he said to her; " Remove it from my sight for its pictures remind me of life.", and in other version,

"For its pictures are still coming to my mind in my prayers."

Imam Khataabi's ruling concerning this issue is that the forbiddenness is restricted to reliefs. As for the plain-surface pictures made on papers, walls, wood and so forth he was of the opinion that they are disliked for the Muslim should always avert what might draw him near to sin. However, the priceless pictures which are sold for millions are definitely forbidden. There is one exception as far as reliefs are concerned which is children's toys; dolls, puppets, cats, dogs, monkeys and the like. These toys are allowed because they give pleasure to the children. They are not possessed with the intention of glorification or worship. Besides children often abuse them. A'isha's report that she used to play with dolls and that her friends used to come and play with her and the fact that the Prophet (P.B.U.H.) was pleased with these visits is evidence that they are not forbidden. The same ruling applies to candy statues and dolls which are sold on certain occasions for they are eaten in no time. Also, the statues which heads are cut off are not forbidden. In this respect Gabriel said to the Prophet (P.B.U.H.): " Give an order to cut off the head of the statue so that it would look like a tree."

As for the busts of kings and celebrities placed in squares, they are forbidden for they are laid there as a sign of glorification.

Unlike the Westerners, Muslim heros and public figures do not need statues to remind people of them. Their honourable and noble history is their pass word into the hearts of people in the past, present and future. They set an excelling example of how a true Muslim should be. The

Muslim generation will always draw their inspiration from their history. Thus, the Prophets, Companions, Imams, historical figures and scholars were able to win over the hearts and supplications of millions of people without the need to erect a bust. Statues will not be immortalize people, deeds will be.

There are many statues at the centre of Cairo ,e.g. Lazoghli's statue, many people do not even know the name of the man they represent. Many other statues are cursed instead of glorified every time one passes by them because they bring back horrible memories of the notorious history of whom they represent.

Photographs:

It is crystal clear that the previous argument is mainly concerned with picture-making, in other words, the pictures which are either carried or drawn. Needless to say, photography or the art of forming pictures by means of the chemical action of light on film, is a modern innovation. It follows that it was virtually non-existent at the time of Prophethood or the early Muslims. This raises the question of the applicability of the verdict reached on picture-making to it. The group of Muslim scholars who restricted the forbiddenness to statues which take physical form, allowed photographs. The ones which only show the bust, in particular.

As for the other groups, they forbade photographs on the basis of analogy. But can we safely say that photographs are similar to pictures which are drawn by an artist? Do

photographers commit the same sin -make the like of Allah's creation - for which picture-makers are condemned in the anti-pictures hadiths? If not, then does the fundamentalist rule which says that punishment is ruled out altogether if sin is ruled out, apply to them?

Sheikh Muhammad Bakheat, the Mufti of Egypt, issued the most accerdited verdict on this issue. He stated: " Definitely, photography - the process of forming a picture by means of the chemical action of light on film and then transferred to specially prepared paper - does not fall into dislike picture-making. The latter is the art of giving free reins to one's imagination to creat a picture that has no existence in real life then materializing it into a certain physical form which imitates Allah, the Most High, created beings. Photography does not involve creation with the intention of making the like of Allah's creation. Therefore, the Gulf's people call photographs a reflection, and the photographer, a reflector.

It is agreed upon that the verdict on photography depends to a great extent on what the photograph reveals. There is consensus that if the topic of the photograph violates the creed, laws and moral code of Islam, it is forbidden. It is forbidden to take photographs of women in the nude or semi-nude. It is forbidden to show, draw or take pictures of women in profoundly erotic poses for sexual arousal purposes as we see everyday in some of the newspapers, magazines and movies. It is agreed upon that pornographic literature is forbidden. It is forbidden to possess it in one's house and

office. It is forbidden to advertise and circulate such material. It is forbidden to hang such photographs on walls. One's very intention to go and see pornographic material of any kind, is forbidden. Likewise, it is forbidden to possess pictures or photographs of disbelievers tyrants and evil-doers. Instead one must harbour animosity towards them for Allah's sake. It is forbidden for a Muslim to possess a picture of a confirmed atheist who believes that there is no God. It is also forbidden to possess pictures of idolaters who associate cows and fire with Allah in their worship. Furthermore, it is forbidden to possess a picture of a Jew or a Christian who denies the Prophethood of Muhammad, or of a Muslim by name who does not judge according to what Allah has sent down and propagate obscenity and corruption. Pictures which depict the rites of paganism or other religions which Islam rejects, or celebrate statues or the like, are, by consensus, forbidden.

Conclusion:

We will sun up the lawful verdicts passed on pictures and picture-making:

1. The most strictly forbidden sinful pictures are the ones which are made to worship someone other than Allah. The picture-maker is stigmatized as a disbeliever if he was fully aware of the sinfulness of such an act, notwithstanding, he made it with the intention of glorification and worship. Reliefs are the most sinful and rejected types of pictures. Each and every one who participates in advertising for those pictures or offers them any kind of glorification, will receive his due share of sin

and punishment.

2. The picture makers who make a picture with the intention of making the like of Allah's creation rather than worship are ranked below the first kind of picture-makers in sin and punishment.

3. Next to them in sin and retribution, are relief makers who make pictures or erect statues with the intention of immoratalizing the feats of kings leaders and national figures rather than to worship them. It does not make a difference whatsoever in the lawful verdict on picture-making or picture-makers if those reliefs were busts or full-length statues.

4. Reliefs of animates which are not made for glorification or worship are ranked below the worshipped ones in sin and retribution. They are forbidden by consensus with the exception of dolls and candy toys which are degraded.

5. Next to them comes plain-surface pictures, e.g. paintings. The portraits which glorify rulers, leaders and others are forbidden, particularly if they are hung on walls. Their forbiddenness is intensified if the people they represent oppressors, evil-doers or confirmed autheists. Their very glorification means that Islam has never really taken root.

6. If the plain-surface picture represents animates yet it is not made with the intention of glorification but rather as a sign of conspicuous consumption and luxury, it is ranked below the one made for glorification. Those luxurious pictures are usually found in curtains or draperies. They are judged

as disliked.

7. It is allowed to make or possess pictures of inanimates, e.g. trees, palms, seas, ships, mountains, stars does not become preoccupied with them so much so that he neglects his religious obligations or fall for the attraction of affluence and conspicuous consumption. If these conditions are not strictly observed, those pictures are judged as disliked.

8. Essentially, photographs are allowed unless they are taken for forbidden purposes such as the religious or worldly glorification of whom they represent particularly if they were disbelievers or evildoers e.g. atheists communists and corrupt artists.

9. Finally, statues, forbidden or disliked pictures are raised to the level of lawfulness if they are multilated or degraded such as the pictures on mats which people tread on and the like.

Interpretation:

It is common knowledge that some scholars tried to force their private interpretations on authentic hadiths which forbade picture-making and possession. They were of the opinion that pictures, including reliefs, are allowed.

In his interpretations the word 'picture-makers' which occured in the Hadith, Abu Ali Al Farese said that it refers to whoever makes a picture of Allah which shapes Him in such a way so as to resemble his created beings. In his opinion, the forbiddenness of pictures is directed against the people who materialize Allah forgetful of the fact that there is nothing

like Him, the Most High. I think that this interpretation which he mentioned in his book 'Al Hoja', is based on arbitrariness and falsification. The clear-cut wording of those hadiths is invulnerable to such interpretation.

Another group of scholars such as Abu Jaafar Annahas and[1] Maki cited the example of Solomon, upon him be peace, as evidence to the lawfulness of reliefs without discrimination. They cited Allahís words in Sabaa:

" They made for him whatever he desired, places of worship, ornaments, troughs for water and fixed cooking pots." (34:13)

They said that if those things were allowed to Solomon, by analogy, they are allowed to all Muslims. They did not mention that the Shariaa abrogated this privilege.

A number of scholars said that the rejection of pictures is based on dislike. Pictures were strictly disliked because the abominable history of idolatry was still fresh in the minds and those pictures seemed to bring it all back to life. I should stress here that even now thousand of millions of people are idolaters. Imam Ibn Dakeak Al Aead refuted their claims and asserted that they were based on mere falsifications. These interpretations ran counter to the reason which Allah forbad picture-making for, namely, making the like of Allah's creations. He states: " Unlike their alleged reasons for forbiddenness, the real reason is colective, warranted and timeless. We have no right whatsoever to force our prejudiced interpretations, based on pure assumption, on a synthesis of clear cut authentic hadiths.

(1) In his interpretation of the Qur'an under the title (Guidance until Doom's Day)

* In his interpretation of the Qurían under the title: Guidance until Doom's Day.

The history of Islamic civilization has rocked the foundations of such claims. Notwithstanding the fact that some people were affected by them, still their effect was marginalized and defused by the Muslim's enlightened powers of perception. The lions of Hamra palace in Granada in Spain, witness that such claims did have an impact on some people. Parts of Imam Al Karafi's book 'Nafaes Al Osoul Fi Sharh Al Mahsoul' bear witness to this. In his book, he described a candlebrum which king Al Kamel had. He said that every hour at night a door in the candlebrum would open to usher in a toy servant..etc. Al Karafi himself made a candlebrum in which the candles would take a different colour every hour, then a lion would appear and the colour of its eyes would change from dark black to strong white to crimson. Only then two birds would drop two horses and doors would open to usher in and out toy men. Every hour is marked in a certain colour. At dawn, a toy man would appear and ascend to the top of the candle stick putting its finger in his ear as a symbol of Azan call to prayer. Al Karafi could not make those toys make sounds. Similarly, Ibn Jabayer described in one of his journys, a clock at Damascus Mosque which had statues of hawks in it.

The attitude of Islamic Civilization:

It is asserted that the general attitude towards pictures of animates, reliefs in particular, was a negative one. Muslims preferred to conceive ideas in abstraction which conforms

with the spirit of monotheism. They rejected materialization and the various kinds of reliefs which are reminiscent of notorious paganism. As a result, formalism was orientated towards new heights of creativity. It bequeathed many masterpieces to Islamic Civilizations. These graceful monuments bear witness to the genius of the artists at that time.

The Muslim artist made the best use of his preception, hand and brushes to creat singular works of art. Graceful ornaments were found in mosques, palaces, houses, walls, ceiling, doors, windows and sometimes even on floors. Even the Glorious Qur'an was decorated with rich ornaments. Those delicate artistic touches in kitchen utensils, furniture, works of art, mats, clothing and swords were the outcome of ingenuity. The Muslim artists used the different materials at their disposal such as stones, marble, wood, baked clay, leather, glass, paper, iron, brass and other miscelleneous material.

Ornament found its way to the different calligraphic styles of Arabic, e.g.(1) Tholoth, (2) Neskhi,(3) Rakaa,, Persian,(4) Ottman, Kufi and others. Calligraphers excelled at this art us unparalleled masterpieces.

Calligraphers devoted themselves, heart and soul, to their works of art. They left their imprint in the ornaments and

(1) Decorative style of calligraphy.

(2) The ordinary cursive Arabic

(3) Cursive style of calligraphy.

(4) Ottman style of cursive.

calligraphy in mosques and the Glorious Qur'an. The mosques which they decorated were definitely their masterpieces, e.g. The Prophet's Mosque, Kobet As Sakhra Mosque, Ommiad Mosqual in Damascus, Sultan Ahmad Mosque, Asselemanya Mosque in Istanbul, Sultan Hasan Mosque and Mohammad Ali Mosque and many others in the Islamic world.

The architectural triumph of Islamic art was extraordinary. Architecture witness to the ingenuity of Islamic art in many countries. India has an architectural masterpiece which is considered as one of the seven wonders, namely Taj Mahl. Thus, the forbiddenness of picture-making and sculpture gave rise to other arts. The Islamic world is still notable for these singular and exclusive arts.

Humour and mirth
Comedy

Life is a journey of hardships shrouded in toil and trouble. The human being seldom, if ever, escapes its painful calamities. The Glorious Qur'an stressed this fact:

" Indeed, We have created mankind in struggle." (90:4)

The pious and devout suffer the most from ordeals and afflictions. Their momentous mission in life and their endless bitter enemies contribute to this vulnerability. Five enemies will always close in on the believer: A Muslim who is full of envy of him, a hypocrite who detests him, a disbeliever who fights him, a Satan who leads him astray and his baser self which incites him to evil as the saying goes. The Prophet (P.B.U.H.) said: " The people who receive the severest afflictions are the Prophets. Next to them is the selected group of Muslims and next to them the best of the remaining groups."

It follows that most people are in desperate need of a sancturay which provides them with a sense of relief and appeasement. They are in need of a break away from the struggle of monstrous life. Their thirst for diversion and entertainment is one of the facts of life. They need to laugh, rejoice and have fun. We can not let them fall prey to grief and sadness which will ultimately ruin their lives and turn them into pitiful wretches.

Singing is one of the ways to salvage them from this

downfall. Humour, mirth and entertainment can strike a balance into their lives. They are the antidote to grief, sadness and depression. This raises the question of how religion will receive this comic art? Will it welcome or reject it? Will it deem it lawful or unlawful?

Humour and mirth

I have seen people, instinctively, use everything at their disposal to innovate means of lawful entertainment such as jokes. Egyptians are famous for cracking jokes. There are different kinds of jokes. Each kind fulfils a certain task. For instance, political jokes which make fun of rulers and their retinue at the peak of tyranny and political despotism is a mild way to express opposition and anger.

As soon as people sit and chat with each other, they begin to crack jokes. Such act seems to offer consolation to them. They seem to alleviate their bitterness and ameliorate the status quo. Sometimes they would tell jokes and attribute them to Goha, Abi Nawaas or others and sometimes they do not attribute them to anyone. Some people have a quick wit which enables them to tell and invent jokes on the spot. In the past, Ashaab was the most famous comic character. In modern age, in Egypt, Sheikh Abdel Azeaz Al Beshri became the most popular comic character. The most famous comic magazine in Egypt was called Al Baakooka. Egyptians innovated the art of Kafsha which means using metaphors and puns which centers around a certain issue to creat a humorous atmosphere. People used Al Aragouz - traditional comic puppet- and Khayal Al Zel which is a popular comic

show for entertainment. Riddles or fawazear, ancedotes or Hawadeat and joyful popular proverbs were part of the joys of life. The means of entertainment which famous artists or often anoymous people invent were endless. Entertainments were in conformity with the existent environment. They kept up with the tempo of life. They reflected the dominant values and principles of the age. They varied according to the Kaleidoscopic fluctuation of time and circumstance. Every age left its imprint on these entertainments. Its role was to develop the old amusements and rule out the worn-out ones. Caricature is a good example of this development. Through it, verbale jokes underwent metamorphosis into an expressive verbale or non-verbale performance.

I have been often asked about the verdict of Islam or laughter, mirth and jests. The frowns and sullenness which are usually associated with some of the bigots give rise to such questions. They hardly ever laugh or joke so much that people attributed this dogmatism to religion. My answer is that laughter distinguishes human beings from other species. Animals can not laugh because laughter is the outcome of the comprehension of words or certain situations which raise laughter. Accordingly, the human being is described as a laughter animal. It is quite true that if one laughs, then he is a human being. Since Islam is the religion of instinct, it can not possibly repress the human urge to laugh and have a good time. On the contrary, it embraces everything which contributes to the enjoyment and joys of life. It urges man to be optimistic and cheerful. It reprimands the gloomy and pessimistic attitude to life which makes one only see the

empty half of the glass. Muslims should follow the Prophetís footsteps who, notwithstanding his tremendous responsibilities, used to jest without resorting to lies. He lived a normal life with his companions. He shared their laughters, joys and jests. He also shared their pain, grief and trials. When Zayd Ibn Thabet was asked about the Prophet (P.B.U.H.), he said: "I was his neighbour. When the Revelation descended on him, he sent for me and asked me to write down the revelations. He used to share our interests. He used to participate in our conversations about life, the Hereafter and food. What more shall I tell you about the Prophet (P.B.U.H.)?"

His Companions described him as one of the most humorous men. At home, he used to jest and have fun with his wives. He even listened to their short stories as Oum Zara reported in the famous hadith in Sahih Al Bukhari. It was narrated that he bent down so that his grandsons: Al Hasan and Al Hussein would ride on his back. He did not feel embarrassed or awkward when one of the Companions saw him with his grandsons on his back. When the companion said: "You ride the back of the best of men" He said: "They are the best of riders!"

It was reported that he jested with an old woman who said: "O Prophet of Allah! Supplicate Allah for me so that He will let me enter Paradise. He said: "O my dear, no old woman enter Paradise!" When the old woman began to cry because she misunderstood his words, he consolated her saying that he meant that she will only enter it as a pretty young woman,

he meant that she will only enter it as a pretty young woman, not as an old one. He the recited:

"Perfectly We have created them, and We made them virgins". (56:35-36)

It was narrated that a man asked the Prophet to provide a mount for him. The Prophet (P.B.U.H.) said: "I will provide the offspring of a she-camel for you". The man took the words on their face value and said: "O Allah's Prophet what will I do with the offspring of a she-camel?" The Prophet explauned ì Do not she-camels gives birth to camels?"

Zayd Ibn Aslam reported that a woman called Oum Ayman came to the Prophet and said: "My husband wants to see you". The Prophet said in jest: "Who is he/ Is he the man who has whiteness in his eye?" She said: "No by Allah! He does not have whiteness in his eye!" The Peophet said: "I assure you he has whiteness in his eye." She reiterated: "O no by Allah." The Prophet explained: "There is no one who does not have whiteness in his eye. He meant the white space around the iris.

Anas Bin Malik narrated: "The Prophet (P.B.U.H.) used to mix with us to the extent that he would say to a younger brother of mine: " O 'ather of Umair! What did the Nughair (a kind of bird) do?"

"A'isha - may Allah be pleased with her - narrated: 'Allah's Prophet and Sawda Bent Zamaa were at my place so I cooked Hareara - flour cooked woth milk or fat. I offered it to them and said to Sawdw 'Go on eat' She said "I do not like it. 'I said 'By Allah you will eat it, otherwise I will smear your face

with it. She said 'I will not even taste it.í So I took some of it from the dish and smeared her face with while the Prophet (P.B.U.H.) sat in between. The Prophet lowered hid bent knees so that she would be able to get even with me. Thus, she took some of the dish and smeared my face with it. The Prophet stood there laughing.'

It was narrated that Ad Dahak Ibn Sofyan Al Kelabi was an ugly man. When the Prophet (P.B.U.H.) accepted his oath of allegiance, he said to him: "I have two wives who are better for you than this Homayraa - A woman with pink cheeks - of course this event took place before the Aya which makes veil obligatory descended. He continued 'I am willing to divorce one of them so that you will marry her!' A'isha sat listening then she finally said: 'Is she better than you or are you better?' He said: ' I am far better and more noble than her.' The Prophet laughed at the drift of her question for the man was ugly".

The Prophet (P.B.U.H.) liked joyous occasions such as Eids - feasts - and weddings. When Abu Bakr - may Allah be pleased with him - showed discontent with the singing of two female singers at the Prophet's home on the feast and reprimanded them, the Prophet (P.B.U.H.) said: 'O Abu Bakr! Let them sing for it is feast day' In another version, he said: 'So that the Jews will know that we are liberty in our religion".

The Prophet ley A'isha see the display of the Ethiopians who were played with sheilds and spears in the ay of Eid the feast day. He made her stand behind him and watch their

display at his mosque. He encouraged them saying: ì Carry on!O Bani Arfida".

I should stress that he did not show any sign of reluctance or embarrassment about it. The Prophet expressed his disapproval at celebrating a wedding without any kind of amusement or singing. He said to A'isha: 'O A'isha! Have not you got any amusement during the marriage ceremony as the Ansar like amusement?. 'In other versions, he said: 'You should have sent girl singers along with her to sing her the song:

We are here especially for you Greet us so that we can greet you The Companions of the Prophet and those who followed suit used to laugh and jest. The Prophet set an excelling example to them. It was reported that Omar Ibn Al Khatab who was known for his sternness and harshness jested with his slave girl saying: 'The Creator of good people created me and the Creator of evil people created you. 'When he saw that she became upset, he explained: 'Allah is the Creator of both the good and the wicked people".

Some of the Companions were known for their sense of humour, notwithstanding the Prophet did not object to it. Even after the Prophet's death the Companions voiced no objection against it. At this point, I should stress that some of the incidents in which this sense of humour was given free reins, happen nowadays, they would have been denounced by the majority of bigots and those men with great sense of humour would have been condemned as Muslims who had gone astray and lost sight of the truth.

Annoayman Ibn Omar Al Ansari was famous for his great sense of humour and cheerfulness. It was reported that he had his own peculiar brand of humour. He witnessed the second Akaba Baiaa - al-egiance, Badr, Uhd, al Khandak and the rest of the battles. Azzobayr Ibn Bakar reported in his 'Humour and Mirth' some unique and funny anecdotes about him. For instance: Whenever he entered Al Madina, he would buy something even if he was not planning to stay long then he would go to the Prophet (P.B.U.H.) and say: 'This is my gift for you. When the seller comes to claim the price, he would take him to the Prophet (P.B.U.H.) and say: 'Give this man the price of his goods.' When the Prophet protests saying: 'But is not it a gift from you?' He would say: ' by Allah, I did not have enough money to buy. I wanted you to eat it.' Then the Prophet laughed and gave the seller his money.

Azzobayer reported on the authority of Rabeaa Ibn Othman: "One day a Bedouin came to the Prophet's (P.B.U.H.) house and made his camel kneel down at his backyard. Some of the Companions said to Annoayman Al Ansari: 'If you would kill this she-camel for we want to eat meat so badly.î So he did. When the Bedouin came out of the Prophet's house and saw what had happened to his she-camel, he shouted: 'O Muhammad! My she-camel was slaughteredî The Prophet came out and asked: ì Who did this?î They said ì it is Annoayman. 'He followed him until he found him hiding at Dhabaa Bent Azzobayer Ibn Abdel Mutaleb's house. A man pointed to his hide out so the Prophet pulled him out and asked him: 'what made you kill that she-camel? 'He said: 'Those who told you about my hide-out are the ones who

ordered me to kill it.' The Prophet laughed while he wiped the dust off his face then he recompensed the Bedouin for his loss.

Azzobayer reported that his uncle narrated on the authority of his father that one day Makhrama Ibn Nawfal, who was a hundred and fifteen years old wanted to urinate in the mosque but the people shouted at him: 'the mosque, the mosque. Annoayman then took him by the hand and made him sit down at the other side of the mosque and told him: 'You can urinate here.' The people shouted at him once again so he said: ìFie on you. Who brought me here? They said: 'It is Annoayman.' So he said: 'By Allah if I saw him again, I would hit him with my stick so hard that he would regret what he did to me.' Annoayman was told about his threat. After a long time, he went to the mosque and saw Makhrama and Othman who was praying at the mosque. He asked Makhrama: 'Do you want to avenge yourself on Annoayman?' He said: 'yes' So he took him to where Othman was praying and said: 'He is Annoaymanî knowing that Othman will never turn around. Makhrama hit him so hard with his stick that he was hurt. As soon as the people present saw this they shouted at him "How dare you hit the commander of believers!" So he told them the previous story.

One of the Companions who was known for his great sense of humour, forced him to have a taste of his own medicine. Ibn Abd Al Bar in his 'Al Esteaab' said that this companion was Sobayt Ibn Harmala who also witnessed Badr Battle. He said that he liked to crack jokes. Oum Salama

reported: 'One day Abu Bakr - may Allah be pleased with him - set out for trade a year before the Prophet's death. Annoayman and Sobayt Ibn Harmala who eitnessed Badr Battle accompanied him. Annoayman was in charge of provisions so the humorous Sobayt said: 'Please, give me some food.' Annoayman refused saying: 'Not until Abu Bakr - may Allah be pleased with him - arrives.'Sobayt said: 'By Allah, I will tease you. 'Later they ran into a group of men, so Sobayt said to them: 'Are you interested in buying a slave?î They said: 'Yes' He said: ìI must worn you that he imagin as things and he will tell you that he is a free man so if you plan on leaving him as soon as he tells you so then you better not see him, otherwise I will not be able to control him any more. They said: 'Nay, we will buy him. 'He said ' I will sell him for ten bustard chicks. They then tied a rope around Annoayman's neck who protested saying: "Do not believe him. He is a real con artist and I am a free man, not a slave." They said: "He told us about your vivid imagination". and they took him away. Finally when Abu Bakr - may Allah be pleased with him - came and Sobayt told him about his con, he followed them and gave them back their ten bustard chicks and set Annoayman free. When the Prophet - peace be upon him - was told about what happened, he had a good laugh. For a whole year, whenever the Prophet or his Companions remembered this con, they would break into laughter.

The hard-line stance:

Undoubtedly, some of the poets and the men of wisdom and letters have an aversion to jest. They warned against its

negative consequences and overlook its positive side. I should stress that we should follow in the prophet's - peace be upon him and his Companions' footsteps who were moderation and balance incarnate.

It was reported that when Hanzala accused himself of hypocrisy because his behaviour at home differed from his behaviour in the presence of the Prophet (P.B.U.H.), he said to him: 'O Hanzala! If you avoided talking leisurely and freely with each other at all times as you do in my presence, angels would have stopped to shake hands with you when they run into you in the streets, but Hanzala there is a time and a place for everything. 'I can only say that this statement is the core of instinct and justice.

Ibn Abi Shayba informed us that Abi Salama Ibn Abdel Rahman said: 'None of the Prophet's Companions was introvert or negligent of his religious obligations. They used to recite poems and talk about how they were in the time of ignorance. Should one of them be summoned to a religious duty, he would show wild excitement and energy as if he were mad. Ibn Serean was asked whether the Companions jested with one another or not. He answered 'They were normal people and they behaved accordingly.î Ibn Omar used to jest and recite poetry. Thus, the characteristic dogmatism, aloofness and sullenness of bigots conflict with the example set by the Prophet and his Companions. Thus hard-line attitude stems from their idiosyncrasies or upbringing. The petty misdemeanours of a fallible individual or group, must not make us misjudge islam we must keep in mind that

Qur'an and Sunnah are the source of Islam.

Jest and humour: their lawful limits.

It is lawful to laugh, jest and have fun. The Qur'anic texts and the history of the noble Prophet (P.B.U.H.) and his Companions - may Allah be pleased with them - witness to this lawfulness.

Their lawfulness stems from the instinctive human need for diversion. The human being can not survive the trial and hardships of everyday life without leisure and recreation. Diversion and entertainment have refreshing effect on human beings. They give him impetus, a sense of purpose and determination to continue the long and exhausting journey of life. They also grant him the privilege of breaking loose from the hard toil and trouble of life.

Essentially, laughter, mirth and jest are lawful but three are restraints and conditions, which must be observed:

First: One should not resort to lies and fabrications in order to make people laugh. April's lie is the typical example of that. The Prophet's (P.B.U.H.) predicted such wrongdoing when he said "woe to every liar who lies to make people laugh. Woe to him, woe to him, woe to him". It is true that the Prophet (P.B.U.H.) used to jest yet he never told a lie.

Second: One should not humiliate, or mock his fellowmen unless the person concerned gives him his consent and permission to do so.

Allah, The most high states:

"O you who believe, A people should not mock another people, it may be that they are better than them, nor should women mock other women, it may be that they are better than them, And do not look for fault in one another, nor defame one another with derisive names. Evil it is to have a name of wickedness after one has believed. And whoever does not desist, these are the evildoers". (49:11)

Muslim reported in his Sahih that the Prophet (P.B.U.H.) said: "It is evil enough for man to despise his Muslim fellowman".

It was reported That when A'isha poked fun at one of the Prophet's wives because she was short of stature, the Prophet said to her: ì you have uttered a word which is enough to mix the water of the sea with. 'In another instant when A'isha mimicked a person, he said: "I do not like mimicry and boasting of wealth".

Third: Sense of humour is not enough excuse to petrify a Muslim fellowman. Abu Dawoud reported that Abdel Rahman Ibn Abi Leila narrated: The Compenions of the Prophet (P.B.U.H.) said one day they were on an expedition with the Prophet (P.B.U.H.) and one of them fell asleep. When some of them rushed and took a rope which he kept by his side, he woke up and was really petrified. When the Prophet (P.B.U.H.) saw what had happened, he said: 'It is unlawful for anyone to petrify a Muslim.

In Al Kabear, Attabarani reported that Annoayman 'Ibn

Bashear narrated: "We were on an expedition with the Prophet when a man fell asleep while he was on his mount. On seeing this one of us rushed and grapped an arrow from his quiver but the man woke up and was petrified so the Prophet said: "It is an lawful to petrify a Muslim".

Attabarani said that the reporters of this hadith are trustworthy. The context reveals that the man did so with the intention of jesting. Attirmidhi reported that the Prophet (P.B.U.H.) said: "None of you should take someone else's possession neither for real or for fun." Attirmidhi raised this hadith to the level Hasan.

Forth: "There is time and place for everything". Should be the Muslims motto. He should be wise and perceptive to reach a balanced evaluation of the present situation. His behaviour should be kept in proportion. He should mot jest when the situation requires seriousness nor should he act seriously when the situation calls for entertainment. Al Asmaai narrated that he saw a woman praying in complete subjection and supplication to Allah. To his surprise, no sooner had she finished her prayers than she stood before the mirror and started to adorn herself. He could not stop himself from saying: Do not you think that your behaviour looks consistency? She answered in lines of poetry to the effect that everything has its appropriate time. Her consciousness of time enabled her to fulfil her religious obligations towards Allah and her husband. She devoted part of her time to diversion and recreation with her husband. He realized that her self-discipline enabled her to fulfil her obligations

towards Allah without neglecting her duties towards her husband.

Allah, the Most High, reprimanded disbelievers who laughed, when they should have wept, on hearing the recitation of Qur'an:

"Do you then wonder at this message, and will you laugh, and not weep? And you indulge in vanities". (53:59-61)

Fifth: One should jest and have fun within limits. He should follow a mid way course in life. He should achieve a proper balance between work and play. He should enjoy the blessings and joys of life in moderation. Recreational activities should conform to common sense and reason. They should not conflict with the positive social standards.

Islam is violently opposed to excessiveness in general even in worship. It stands to reason that it also stands against excessive diversion and jest. In this respect, the Prophet (P.B.U.H.) said: 'Do not make a habit of roaring with laughter. Too much laughter deadens the heart".

Needless to say, the Prophet forbad laughing to excess. It was reported that Ali - may Allah be pleased with him - said: "Give you talk its due share of jest just as you season your food with salt".

This wise saying opens our eyes to the importance of jest in our lives providing that it is kept under control. We should not indulge in it to excess, otherwise we will suffer its disastrous consequences. The middle course of action is at the very core of Islam. It distinguishes the Muslim nation from other nations.

Recreational Activities

The need to play:

It is true that people need arts which appeal to their senses, giving them exclusive pleasure such as singing, picture-making, photography and comedy yet there are other arts which enable people to ride themselves of tedious life and boring people. These arts are all purposeful recreational activities and the different games which we probably have not heard of some of them yet.

Games:

We already know some of these games as athletics: swimming, running, the different kinds of jumping, gymnastics, ball games and skilng. Some of these activities seem militarized such as: archery shooting, spare and sword wielding and horse ridding. Some of these games are used for amusement and to kill time. Others appeal and develop one's mental skills such as chess, sega, dominos and the like. There are certain games which are based on sheer look such as backgammon. Some of these sports need one player, others need two-players such as wrestling and boxing. Some of them need two teams: tug of war which is an old popular game and the various ball games. Some of these activities involve a contest between two players, teams or a group of players of teams. Magic and conjuring tricks which involve quick movements of the hands are part of those endless sports.

There are acrobatics such as circus acrobatics which

impress the audience with the extraordinary performance and dexterity of acrobats. Some animals and birds are trained for sports such as homing begeons, cock, ram and bull-fight. Monkeys and bears are trained to make impressive performances. Horses and elephants are trained to dance in their own peculiar way. Also, lions, leopards and tigers are tamed and trained.

In Egypt, the public festivals held on the different occasions of feasts and moulids offer the audience a unique panorama of the national heritage of sports. All people worldwide have their exclusive reservoir of sports which is in fact a combination of the sports passed on from earlier generation and the sports which they innovated.

The door is wide open for rejuvenation and innovation in the field of swords. I can not find a better form of this innovation than the tele-match program which features a group of German sporting clubs in enthralling and funny competitions. The Japanese excelled in the innovation field of sporting contests. This raises the question of where does Islam stand amdist all this?

The verdict of Islam:

The verdict of Islam on the different games or sports is as follows:

The lawful games:

It is lawful for both the individual and the group to participate in the different leisure activities which aim at nothing more than mere amusement, recreation and

entertainment. The reader can go back to the evidence cited in Al Ghazali and Ibn Hazam's writings which proves the lawfulness of laughter, singing by analogy and games. In fact, Islam urges Muslims to play the different kinds of sports or militarized sports which develop muscles and keep the body fit. They also develop one's physical potential. The Prophet (P.B.U.H.) urged Muslims to teach their children shooting, horse-riding and swimming. He also said that Allah loves the strong believer more than the weak believer. He deems him far better than the weak believer. Allah ordained the two Eids of Fitr and Adha - the two feasts - : The first on which Muslims break their one month fasting of Ramadan, and the second on which Muslims sacrifice animals. The two Eids where meant as substitutes for the two days on which Al Ansar used to celebrate and play in the wilderness of Ignorance times.

The Prophet (P.B.U.H.) gave permission to the Ethiopians to play with their spears and swords at his mosque on feast day. In fact, he even encouraged them saying: "Carry on! O Bani Arfida".

The unlawful games

Islam has serious reservations pertaining to certain games which run counter to its teachings and violate its paraneters. These games are: **First:** The games which involve unnecessary risk and hazard such as boxing. Boxers risk serious and unnecessary injury. **Second:** The games which force woman to wear little **cloths** which show parts of their bodies which are forbidden to show to men whom it is lawful

for them to marry such as swimming, acrobatics and the like. However, they could have their private swimming pools and playgrounds which men are not allowed access to.

Third, the games which are bassed on black magic that involves calling on the powers of evil. It is unlawful to learn or spread this devastating magic among people for it is one of the great sins.

Forth, the games which are based on cons and fraud to deceive people and steal their money such as the Egyptian game, the three cards. **Fifth,** the games which abuse animals and birds and shed their blood such as cock and ram fight. The Prophet prohibited provoking animals so that they will attack each other while the bloodthirsty audience enjoy this masacre. Muslims should always keep in mind the Prophet's wise counsel: "However is not mersiful to others, will not be traited mercifully".

Sixth, the games which are based on shear luck like backgammon or Tawla. I should stress here that I am of the opinion that chess is allowed on certain conditions for it develops one's mental skills. For further readings on this issue the reader may refer to the second part of 'Contemporary Futwas' and 'The Lawful and the Unlawful'

Seventh, the games which involve gambling which Allah describes, together with intoxicants, as an abomination of Satan's handiwork.

Eighth, the games which humiliate, degrade or poke fun at man or a group of society. Such games make man or a certain

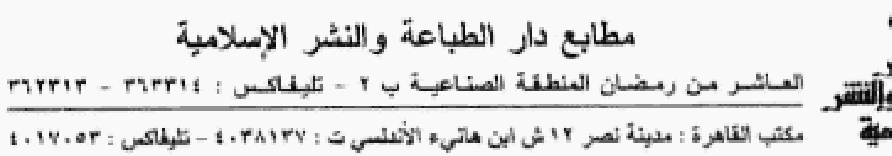
group of society such as the blind, the limp or the blacks, the laughing-stock of others. They mock a certain social class without limits

The Contents

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DIVERSION AND ARTS IN ISLAM

Some people are of the opinion that Muslim society should consecrate solely on the service and worship of Allah and hard work . There is no room for diversion or mirth. Singing is totally alien to such a society which forbids self-expression. Some hardliners contribute to such falsehoods. Their faces always have a solemn, melancholic and ominous expressions. They ascribed their stern and melancholic attitude to religion. In fact, they should realize that their deficient knowledge of religion and personal preferences for certain texts of Qur'an and Sunnah are the root of their problem. Others flagrantly chose a licentious way of life. Their life is a fair for fun and games. In their opinion, the distinct limits between the lawful (Halaal) and unlawful (Haram) are non-existent. They do not distinguish between that which is obligatory and that which is forbidden. Avoiding the two extremes, I have chosen to follow a middle course. I have exerted my utmost effort to reach a just and unbiased conclusion. My argument depends on sound and authentic texts and is guided by the torch of Shariíah and Fiqh.

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